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This is a listing of issues being considered for inclusion into chapter 64E-6, FAC. Some issues are on the TRAP agenda, some are tabled by TRAP, some are approved by TRAP and awaiting future rulemaking. Check the TRAP Agenda to see which issues are to be included in an upcoming TRAP meeting. The issue sheets are generally accurate but are general summaries and may contain errors and omissions as the issue language is edited.

Call Gerald Briggs or Dale Holcomb at 850-245-4070 with questions regarding the rule proposals.

Issue Number: 05-03
Subject: Wekiva Study Area
Date New: 4/20/2005
Date Initially Heard by TRAP: 5/25/2005
Date Tabled by TRAP: 8/21/2007
Date Initially Approved by TRAP: 8/21/2007
Date Heard by Variance Committee: 11/1/2007
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

5/25/2005 TRAP Approved with CBOD and TSS limited to 10 and some typos fixed. On to Variance Committee
5/26/2005 Wekiva Commission asked for public meetings and to present info at September commission meeting.
9/1/2005 Variance sent comments back to TRAP.
9/15/05 TRAP withdrew initial approval and asked for more information to review.
9/15/05 Modified language to address some comments from the public.
9/21/05 Separated 64E-6.001 general section cleanup to its own issue 05-04.
11/2/05 new draft distributed. Tabled for industry report.
2/15/2006 TRAP recommended the following: "If funding can be available to make repairs, malfunctioning systems in the Wekiva Study Area shall be upgraded to meet new standards" Ellen's group will study issue. TRAP will send a letter to the legislature on the matter.
8/21/07 TRAP approved septage land application restriction but tabled remainder waiting for DEP to finish Phase II study clarifying non-OSTDS contributions to total nitrogen load to WSA.
10/4/07 Variance committee commented on entire Wekiva rule proposal (not just septage paragraph): Real Estate Industry - No; Home Building Industry - Deny. This is a slip toward doing this state wide! Not sufficient testing data; County Health Department - OK; State Health Office - Ok; Unsigned comment - Disagree.
10/16/07 The State Surgeon General instructed the Bureau to proceed with rulemaking.
10/23/07 Incorporated RRAC comments other clarification.
11/1/07 Variance committee to comment on Wekiva septage proposal alone: Engineering-ok, State Health Office-Agree, CHD-Agreed, DEP-Prohibit Land Application in WSA as DEP rules already do, Septic Tank industry - I understand the reason but worry about land spreading anytime we lose another application area. An alternative would be to have legislature pass a statute requiring sewer plants to take septage.
5/27/08 Inserted Nitrogen Reduction Strategy Comparison information for TRAP review.
6/5/2008 On TRAP agenda for discussion
8/8/08 On TRAP agenda for discussion
8/27/08 On TRAP agenda for discussion
2/5/09 Incorporated draft language.
2/19/09 TRAP voted to Table the issue.

1 64E-6.001 General

2 (1)through (6) No change

3 (7) The following standards shall apply in the Wekiva Study
4 Area as defined in 369.316, F.S.

5 (a) In areas not scheduled, by an adopted local wastewater
6 facility plan, to be served by a central sewer system by July 1,
7 2012, performance based treatment systems with a total nitrogen
8 discharge limit of 10 milligrams per liter at the outlet of the
9 treatment receptacle shall be required for new systems,
10 modifications, and repairs. No increase in the authorized
11 sewage flow allowances of 381.0065(4)(a), (b), and (g) shall
12 allowed for use of these systems.

13 (b) In areas not scheduled, by an adopted local wastewater
14 facility plan, to be served by a central sewer system by July 1,
15 2012, prior to completion of any real estate transaction for
16 property with an onsite sewage treatment and disposal system
17 that does not meet the above referenced standard, the seller
18 must apply for and receive a construction permit to upgrade the
19 system to a performance based treatment system with a total
20 nitrogen discharge limit of 10 milligrams per liter at the
21 outlet of the treatment receptacle. The system must be
22 installed and receive final approval from the department within
23 18 months of the issue date of the permit.

24 (c) Land application of septage shall not be allowed.

25 (7) renumbered as (8) No change

26 Specific Authority ~~381.0011(4), (13)~~, 381.0065(3)(a), 489.553(3),
27 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041,
28 489.553, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10-
29 6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-
30 6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 05-24-04, 11-
31 26-06, _____.

32

Issue Number: 07-05
Subject: Sizing
Date New: 4/27/2007
Date Initially Heard by TRAP: 5/17/2007
Date Tabled by TRAP: 5/17/2007
Date Initially Approved by TRAP:
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Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/17/07 Tabled for flow information re: how many gallons per flush

64E-6.008 System Size Determinations

(1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the estimated daily sewage flow as determined from Table I or the following:

(a) No change

(b) When onsite systems use multiple strategies to reduce the total estimated sewage flow or the drainfield size, only one reduction method shall be credited.

**TABLE I
For System Design
ESTIMATED SEWAGE FLOWS**

TYPE OF ESTABLISHMENT	GALLONS PER DAY
COMMERCIAL:	
Airports, bus terminals, train stations, port & dock facilities, Bathroom waste only	
(a) per passenger.....	4
(b) add per employee per 8 hour shift.....	15
Barber & beauty shops per service chair.....	75
Bowling alley bathroom waste only per lane	50
Country club	
(a) per resident.....	100
(b) add per member or patron	25
(c) add per employee per 8 hour shift.....	15
Doctor and Dentist offices	
(a) per practitioner	250
(b) add per employee per 8 hour shift.....	15
Factories, exclusive of industrial wastes gallons per employee per 8 hour shift	
(a) No showers provided	15
(b) Showers provided	25
Flea Market open 3 or less days per week	
(a) per non-food service vendor space	15
(b) add per food service establishment using single service articles only per 100 square feet of floor space	50
(c) per limited food service establishment.....	25
(d) for flea markets open more than 3 days per week, estimated flows shall be doubled	
Food operations	
(a) Restaurant operating 16 hours or less per day per seat	40
(b) Restaurant operating more than 16 hours per day per seat	60
(c) Restaurant using single service articles only and operating 16 hours or less per day per seat	20
(d) Restaurant using single service articles only and operating more than 16 hours per day per seat	35
(e) Bar and cocktail lounge per seat	20
add per pool table or video game	15
(f) Drive-in restaurant per car space	50
(g) Carry out only, including caterers	
1. per 100 square feet of floor space	50
2. add per employee per 8 hour shift.....	15
(h) Institutions per meal.....	5

58	(i) Food Outlets excluding deli's,	
59	bakery, or meat department	
60	per 100 square feet of floor space	10
61	1. add for deli per 100 square feet of deli	
62	floor space	40
63	2. add for bakery per 100 square feet of bakery	
64	floor space	40
65	3. add for meat department per	
66	100 square feet of meat	
67	department floor space	75
68	4. add per toilet or urinal water closet	200
69	Hotels & Motels	
70	(a) Regular per room	100
71	(b) Resort hotels, camps, cottages	
72	per room	200
73	(c) Add for establishments with self service	
74	laundry facilities per machine	750
75	Mobile Home Park	
76	(a) per single wide mobile home	
77	space, less than 4 single wide	
78	spaces connected to a shared	
79	onsite system	250
80	(b) per single wide mobile home	
81	space, 4 or more single	
82	wide spaces are connected to a	
83	shared onsite system	225
84	(c) per double wide mobile home space,	
85	less than 4 double wide mobile	
86	home spaces connected to a	
87	shared onsite system	300
88	(d) per double wide mobile home space,	
89	4 or more double wide mobile home	
90	spaces connected to a shared	
91	onsite system	275
92	Office building	
93	per employee per 8 hour shift or	15
94	per 100 square feet of floor space, whichever is greater	15
95	Transient Recreational Vehicle Park	
96	(a) Recreational vehicle space for	
97	overnight stay, without water	
98	and sewer hookup per vehicle space	50
99	(b) Recreational vehicle space for	
100	overnight stay, with water and sewer	
101	hookup per vehicle space	75
102	Service stations per toilet or urinal water closet	
103	(a) Open 16 hours per day or less	250
104	(b) Open more than 16 hours per day	325
105	Shopping centers without food or laundry	
106	per square foot of floor space	0.1
107	Stadiums, race tracks, ball parks per seat	4
108	Stores per toilet or urinal bath room	200
109	Swimming and bathing facilities, public	
110	per person	10
111	Theaters and Auditoriums, per seat	4
112	Veterinary Clinic	
113	(a) per practitioner	250
114	(b) add per employee per 8 hour shift	15
115	(c) add per kennel, stall or cage	20
116	Warehouse	

117	(a) add per employee per 8 hour shift.....	15
118	(b) add per loading bay.....	100
119	(c) self-storage, per unit (up to 200 units).....	1
120	add 1 gallon for each 2 units or fraction thereof, for over 200 units	
121	and shall be in addition to employees, offices or living quarters flow rates.	
122	INSTITUTIONAL:	
123	Churches per seat which includes kitchen	
124	wastewater flows unless meals prepared	
125	on a routine basis	3
126	If meals served on a regular basis add	
127	per meal prepared	5
128	Hospitals per bed which does not include	
129	kitchen wastewater flows.....	200
130	add per meal prepared.....	5
131	Nursing, rest homes, adult congregate living	
132	facilities per bed which does not	
133	include kitchen wastewater flows	100
134	add per meal prepared.....	5
135	Parks, public picnic	
136	(a) with toilets only per person.....	4
137	(b) with bathhouse, showers & toilets	
138	per person.....	10
139	Public institutions other than schools and	
140	hospitals per person which does not	
141	include kitchen wastewater flows	100
142	add per meal prepared.....	5
143	Schools per student	
144	(a) Day-type.....	10
145	(b) Add for showers.....	4
146	(c) Add for cafeteria	4
147	(d) Add for day school workers.....	15
148	(e) Boarding-type	75
149	Work/construction camps, semi-permanent	
150	per worker.....	50
151	RESIDENTIAL:	
152	Residences	
153	(a) Single or multiple family per dwelling	
154	unit	
155	1 bedroom with 750 sq. ft. or less	
156	of building area	100
157	2 bedrooms with 751-1200 sq. ft.	
158	of building area	200
159	3 bedrooms with 1201-2250 sq. ft.	
160	of building area	300
161	4 bedrooms with 2251-3300 sq. ft.	
162	of building area	400
163	for each additional bedroom or each additional 750 square feet of building area or fraction	
164	thereof in a dwelling unit, system sizing shall be increased by 100 gallons per dwelling unit.	
165	(b) Other per occupant.....	50
166		

167 Footnotes to Table I:

168 1. For food operations, kitchen wastewater flows shall normally be calculated as 66 percent of the total establishment
169 wastewater flow.

170 2. Systems serving high volume establishments, such as restaurants, convenience stores and service stations located near
171 interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average
172 sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I
173 figures.

174 3. For residences, the volume of wastewater shall be calculated as 50 percent blackwater and 50 percent graywater.

175 4. Where the number of bedrooms indicated on the floor plan and the corresponding building area of a dwelling unit in
176 Table I do not coincide, the criteria which will result in the greatest estimated sewage flow shall apply.
177 5. Convenience store estimated sewage flows shall be determined by adding flows for food outlets and service stations as
178 appropriate to the products and services offered.
179 6. Estimated flows for residential systems assumes a maximum occupancy of two persons per bedroom. Where residential
180 care facilities will house more than two persons in any bedroom, estimated flows shall be increased by 50 gallons per each
181 additional occupant.
182 (2) through (6) No change
183 Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
184 Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-
185 00, 9-5-00, 11-26-06, [_____](#).

Issue Number: 07-06
Subject: Mound Stabilization
Date New: 4/27/2007
Date Initially Heard by TRAP: 5/17/2007
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Date Initially Approved by TRAP:
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Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/17/07 Tabled for FOWA to work with DOH to develop issue.

1
2 **64E-6.009 Alternative Systems**

3 (1) through (2) No change

4 (3) Mound systems - are used to overcome certain limiting site conditions such as an elevated seasonal high water table,
5 shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock.
6 Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4),
7 F.A.C., be specified on the construction permit in addition to the following general requirements.

8 (a) through (e) No change

9 (f) There shall be a minimum 4 feet separation between the shoulder of the fill and the nearest trench or absorption bed
10 sidewall. Where a portion of the mound slope will be placed adjacent to building foundations, pilings or supports for elevated
11 structures, mobile home walls, swimming pool walls, retaining walls, or similar obstructions there shall be a minimum 5 foot
12 separation between the sidewall of the absorption area and the obstruction. Such obstructions shall impact the slope on no
13 more than 50 percent of the shoulder perimeter. Retaining walls must be designed by a professional engineer licensed in the
14 state of Florida to withstand the lateral earth forces under saturated conditions and to prevent seepage. Where mounds are
15 placed on slopes exceeding 2 percent, the toe of the slope on the downslope side of the mound shall extend an additional 4
16 inches for each additional 1 percent of slope. To taper the maximum elevation of the mound at the outer perimeter of the
17 shoulder down to the toe of the slope, additional moderately or slightly limited fill shall be placed at a minimum 2 foot
18 horizontal to 1 foot vertical grade where mound height does not exceed 36 inches. Mound heights which exceed 36 inches
19 shall have a slope not steeper than 3 foot horizontal to 1 foot vertical. The entire mound including slopes, shoulders and the
20 soil cap shall be stabilized with sod ~~vegetation. Slopes steeper than 5:1 shall be sodded. Soil caps and unsodded slopes must, at~~
21 ~~a minimum, be seeded with grass and a layer of hay or similar cover.~~ Where fill material is present in the amount so as to
22 provide a level surface from the top of the required cover over the system over the area where the slopes would normally be
23 located, no slopes shall be required. For example, if the neighboring lot has been permanently filled to the same level as the
24 applicant's lot, a five-foot separation from the property line to the system will be required, as opposed to requiring the slope
25 area. Stabilization of a mound shall be the responsibility of the septic tank contractor who constructed the mound system
26 unless the written agreement for system construction clearly states the system owner is responsible. Mound slopes which do
27 not conform to permit requirements shall at a minimum be restored to permit specifications prior to stabilizing. Other
28 vegetative covers providing protection from mound erosion equal to or better than sod shall be approved by the State Health
29 Office. Final installation approval shall not be granted until sodding ~~or seeding and haying~~ or other approved stabilization of
30 the mound has occurred. No portion of the drainfield or shoulder area shall be covered with asphalt or a concrete driveway or
31 be subject to vehicular traffic. Landscaping features such as boulders or trees which obstruct drainfield or fill shoulder area
32 shall not be used.

33 (g) through (i) No change

34 (4) through (10) No change

35 Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
36 Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00,
37 4-21-02, 06-18-03, 11-26-06.
38

Issue Number: 07-08
Subject: System Abandonments
Date New: 4/27/2007
Date Initially Heard by TRAP: 5/17/2007
Date Tabled by TRAP: 5/17/2007
Date Initially Approved by TRAP:
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Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/17/07 tabled for FOWA to work with DOH on issue language.

1 | **64E-6.011 Abandonment of Systems**

2 (1) Whenever the use of an onsite sewage treatment and disposal system is discontinued following connection
3 to a sanitary sewer, following condemnation or demolition or removal or destruction, of a building or property, or
4 discontinuing the use of a septic tank and replacement with another septic tank, the system shall be abandoned
5 within 90 days and any further use of the system for any purpose shall be prohibited. However, if the Department of
6 Environmental Protection or its designee approves the use of the retention tank where the tank is to become an
7 integral part of a sanitary sewer system or stormwater management system, the septic tank need not be abandoned.

8 (2) The following actions shall be taken, in the order listed, to abandon an onsite sewage treatment and disposal
9 system:

10 (a) Property owner or agent shall apply to the department for an abandonment permit on DH Form XXXX,
11 Application for System Abandonment, ~~for a permit from the department to abandon the existing onsite sewage~~
12 ~~system~~ and submit the required fee. Upon receiving a permit:

13 (b) The tank shall be pumped out and a pump out receipt from a licensed septage disposal service provided to
14 the department.

15 (c) The bottom of each tank compartment ~~the tank~~ shall be opened or ruptured with an opening of at least 16
16 square inches, or the entire tank collapsed or removed so as to prevent the tank from retaining water, ~~and~~

17 (d) The tank shall be filled with clean sand or other suitable material, and completely covered with soil.

18 (e) If the tank cannot be ruptured or collapsed, the tank shall be pumped full of concrete.

19 (f) ~~(e)~~ An inspection of the system abandonment shall be conducted by the department or a master septic tank
20 contractor, by the local utility or plumbing authority performing the system abandonment. A master septic tank
21 contractor may certify the abandonment after providing the department 24 hour notice of the time and date the
22 abandonment will be completed. The certification must be documented on DH Form XXXX and mailed or
23 delivered to the department the next duty day.

24 (3) The permitting provisions of Rule 64E-6.011(2)(a) are not required if a local utility or local building
25 ~~plumbing~~ authority performs a system abandonment program which requires the completion of those steps listed in
26 Rule 64E-6.011(2)(b), (c), (d), and (e). ~~If the system abandonment is performed by a local utility or local plumbing~~
27 ~~authority, the local utility or local plumbing~~ The authority performing the abandonment program shall maintain a log
28 of all pump outs and inspections performed and shall forward the log to the County Health Department on a monthly
29 basis.

Issue Number: 07-10
Subject: Replacing soil between trenches
Date New: 4/27/2007
Date Initially Heard by TRAP: 5/17/2007
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Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/17/07 tabled to work issue with soil scientists.

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64E-6.014 Construction Standards for Drainfield Systems

(1) through (4) No change

(5) Drain trenches and absorption beds - drain trenches and absorption beds are the standard subsurface drainfield systems used for disposing of effluent from septic tanks or other sewage waste receptacles. When used, these systems shall be constructed as specified below.

(a) through (k) No change

(l) If the soil between drainfield trenches is removed or replaced, it must be replaced with slightly limited soil.

(6) No change

Specific Authority 381.0011(4), (13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 05-24-04, 11-26-06,_____.

Issue Number: 07-14
Subject: Soil Replacements
Date New: 5/9/2007
Date Initially Heard by TRAP: 5/17/2007
Date Tabled by TRAP: 5/17/2007
Date Initially Approved by TRAP:
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Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/17/07 Tabled to rework issue.

1 Footnotes to Table III:

2 3. When all other site conditions are favorable, horizons or strata of moderately or severely limited soil may be
3 replaced with moderately limited (5-10 min/inch as defined by Table III), slightly limited soil or soil of the same
4 texture as the satisfactory slightly limited or moderately limited permeable layer lying below the replaced layer. ~~The~~
5 ~~slightly limited permeable layer below the replaced layer shall be identified within the soil profile which was~~
6 ~~submitted as part of the permit application.~~ The resulting soil profile must show complete removal of the ~~moderately~~
7 ~~or~~ severely limited soil layer being replaced and must be satisfactory to a minimum depth of 42 54 inches beneath
8 the bottom surface of the proposed drainfield. The width of the replacement area shall be at least 2 feet wider and
9 longer than the drain trench and for absorption beds shall include an area at least 2 feet wider and longer than the
10 proposed bed. Drainfields shall be centered in the replaced area. Where at least 33 percent of the moderately limited
11 soils at depths greater than 42 54 inches below the bottom of the drainfield have been removed to the depth of
12 slightly limited soil, drainfield sizing shall be based on the following sewage loading rates. Where severely limited
13 soils are being removed at depths greater than 42 54 inches below the bottom of the drainfield, 33 100 percent of the
14 severely limited soils at depths greater than 42 54 inches shall be removed down to the depth of an underlying
15 slightly limited soil. Maximum sewage loading rates for standard subsurface systems installed in replacement areas
16 shall be 0.90 gallons per square foot per day for trench systems and 0.70 gallon per square foot per day for
17 absorption beds in slightly limited soil textures. Where moderately limited soil materials are found beneath the
18 proposed drainfield, and where system sizing is based on that moderately limited soil, soil replacements of less than
19 33% may be permitted. Maximum sewage loading rates for standard subsurface systems installed in replacement
20 areas shall be 0.65 gallons per square foot per day for trench systems and 0.35 gallons per square foot per day for
21 absorption beds in moderately limited soils textures (5-10 min/inch as defined in Table III).

Issue Number: 07-20
Subject: Graywater Systems
Date New:
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

6/3/07 not ready yet. Need to deal with composting toilets receiving all blackwater and with any fluid escaping from the composting toilet.

1 |
2 | **64E-6.001 General**

3 | (1) through (3) No change

4 | (4) and (a) through (e) No change

5 | (f) The installation of a laundry system, ~~a gray water system~~, a grease interceptor, or additional drainfield as a
6 | precautionary measure to prolong system functioning of an existing system is considered a modification to the system. Such
7 | installation is not a modification if it is associated with an increase in estimated sewage flow or change in sewage
8 | characteristics, if the system is in failure or if the existing system is in non-compliance with the terms of the original permit, in
9 | which case it will be considered a new system.

10 | (g) No change

11 | (5) through (7) No change

12 | Specific Authority 381.0011(4), (13), 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067,
13 | 386.041, 489.553, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-
14 | 13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 05-24-04, 11-26-06, ____.

15 |
16 | **64E-6.005 Location and Installation**

17 | (1) through (6) No change

18 | (7) Onsite sewage treatment and disposal systems shall be installed where a sewerage system is not available and when
19 | conditions in ss. 381.0065(4)(a)-(g), F.S., are met. Onsite graywater tank and drainfield systems may, at the homeowners'
20 | discretion, be utilized provided blackwater is disposed into an available sanitary sewerage system ~~when such sewerage system~~
21 | ~~is available. Graywater systems may, at the homeowners' discretion, be utilized in conjunction with an onsite blackwater~~
22 | ~~system where a sewerage system is not available for blackwater disposal.~~

23 | (a) through (e) No change

24 | (8) through (9) No change

25 | Specific Authority 381.0011(13), 381.006, 381.0065(3)(a), 489.553, 489.557(1) FS. Law Implemented 154.01,
26 | 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—
27 | New 12-22-82, Amended 2-5-85, Formerly 10D-6.46, Amended 3-17-92, 1-3-95, Formerly 10D-6.046, Amended 11-19-97, 2-
28 | 3-98, 3-22-00, 05-24-04, ____.

29 |
30 |
31 | **64E-6.008 System Size Determinations**

32 | (1) through (2) No change

33 | (3) Where a ~~separate~~ graywater tank and drainfield system is used, all blackwater shall be disposed of in an available
34 | sanitary sewer system or to a waterless, incinerating or organic waste composting toilet. ~~The~~ minimum effective capacity of
35 | the graywater tank shall be 250 gallons with such system receiving not more than 75 gallons of flow per day. For graywater
36 | systems receiving flows greater than 75 gallons per day, minimum effective tank capacity shall be based on the average daily
37 | sewage flow plus 200 gallons for sludge storage. Design requirements for graywater tanks are described in Rule 64E-6.013(2).
38 | ~~Where separate graywater and blackwater systems are utilized, the size of the blackwater system can be reduced, but in no case~~
39 | ~~shall the blackwater system be reduced by more than 25 percent. However, the minimum capacity for septic tanks disposing of~~
40 | ~~blackwater shall be 900 gallons.~~

41 | (4) through (6) No change.

42 | Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
43 | Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-
44 | 00, 9-5-00, 11-26-06, ____.

Issue Number: 07-21
Subject: Excavation Inspections
Date New: 6/3/2007
Date Initially Heard by TRAP: 8/21/2007
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Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

8/21/07 Tabled for discussion with FOWA

12/2/2010 TRAP asked for the issue to be returned to TRAP.

10/11/2011 Tabled for more discussion with industry. Add language to only require excavation inspection when the unsuitable soil is more than six feet below the bottom of the drainfield and change "walk-out" to "meet safety requirements."

1 | **64E-6.003 Permits**

2 | (1) No change

3 | (2) System Inspection - Before covering with earth and before placing a system into service, a person installing or
4 | constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the
5 | completion of the construction activities and shall have the system inspected by the department for compliance with the
6 | requirements of this Chapter, except as noted in subsection 64E-6.003(3) for repair installations.

7 | (a) through (e) No change

8 | (f) Excavation inspection – At sites where an excavation is required under rule 64E-6.008 Table III, Footnote 3 or 4, FAC,
9 | and the depth of the excavation is greater than 72 inches below the proposed drainfield absorption surface, a person preparing
10 | to install an onsite sewage treatment and disposal system shall notify the county health department of the completion of the
11 | excavation and shall have the excavation inspected by the department for compliance with the requirements of this Chapter. In
12 | preparation for inspection the excavation shall have been completed to the required depth and no fill material shall have been
13 | placed into the excavation except for that quantity necessary to ~~provide a walk-out meet safety requirements~~. All moderately
14 | or severely limited soil material that was removed from the excavation shall have been moved off the site or shall have been
15 | spread over the property prior to the excavation inspection. A reinspection fee shall be paid to the county health department
16 | when requesting the inspection. An excavation inspection shall not be required when all of the unsuitable soil to be removed is
17 | less than six feet of the bottom of the drainfield.

18 | (3) through (6) No change

19 | Specific Authority 154.06(1), 381.0011(4), (13), 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0012,
20 | 381.0025, 381.0065, 381.0067, 386.041 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-
21 | 92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 05-24-04, 11-26-06.

Issue Number: 07-23
Subject: Performance-Based Systems-Standards
Date New: 8/3/2007
Date Initially Heard by TRAP: 8/21/2007
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP: 7/15/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **Issue: Treatment Standard Definitions for Performance Based Treatment Systems.**
2

- 3 • **The proposal replaces treatment standards for 7-day and 30-day averages with a percent removal**
4 **performance standard. 7-day and 30-day averages are not meaningful in current practice. Percent**
5 **removal allows some consideration of variability in influent concentrations.**
- 6 • **The standards are reformatted in a table for ease of reading.**
- 7 • **Baseline standards are provided for all pollutants. Domestic sewage strength and septic tank effluent**
8 **standards are now consistent with 64E-6.002(15)(c) (domestic sewage strength).**
- 9 • **ATU standards are defined to clarify PBTS standards in locations where ATUs are required.**
- 10 • **Florida Keys standards are amended by grab sample and percent removal standards**
- 11 • **Advanced secondary treatment grab sample standards for nitrogen is loosened to make a distinction**
12 **from Florida Keys standard.**
- 13 • **Effluent is defined and treatment standards are adjusted for soil-based treatment.**
- 14 • **Disposal and treatment component are defined**
15

16
17 **64E-6.025 Definitions**

18 Due to extensive revision, strike entire section and add the following:

19
20 Definitions in Chapter 64E-6, Parts I and II, are also applicable to Chapter 64E-6, Part IV.

21 (1) Bottom infiltrative surface - the vertical projection of the bottom surface of the drainfield that is no lower in
22 elevation than 30 inches below grade.

23 (2) Composite sample –a defined mixture of grab samples of wastewater or effluent taken in proportion to either
24 time or flow, to minimize the effect of the variability of the individual sample.

25 (3) Disposal component – arrangement of equipment and/or materials that distributes effluent within a
26 drainfield

27 (4) Effluent – treated sewage at the point of discharge to the drainfield or disposal system. Where the site
28 specific application proposes to use soil as component of the treatment system, effluent refers to the mixture of soil
29 water, effluent and shallow groundwater recovered from the monitoring points and treatment concentration
30 standards shall be decreased by 50% for cBOD₅, TSS, TN, and TP, and by 90% for fecal coliform, and percent
31 removal standards of table IX shall be correspondingly adjusted. For systems designed to meet the standards of
32 64E-6.017(4), effluent refers to the recovered water product from a sampling point following the final design
33 treatment step.

34 (5) Failure - in addition to 64E-6.002(23), exceedance by an individual sample of the applicable performance
35 standards, unless the maintenance entity performs and documents maintenance, and a second individual sample is
36 taken within 30 days of the first individual sample and meets the applicable individual performance standard.

37 (6) Grab sample - a sample which is taken from wastewater or effluent over a period of time not to exceed
38 fifteen minutes.

39 (7) Effective drainfield depth - the vertical distance from the bottom of the drainfield to the invert of the
40 distribution pipe.

41 (8) Innovative System – as defined by s. 381.0065(2)(g), F.S.

42 (9) Performance-based treatment system - a specialized onsite sewage treatment and disposal system designed
43 by a professional engineer with a background in wastewater engineering, licensed in the state of Florida, using
44 appropriate application of sound engineering principles to achieve specified levels of CBOD₅ (carbonaceous
45 biochemical oxygen demand), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), and fecal
46 coliform found in domestic sewage waste, to a specific and measurable established performance standard. This term
47 also includes innovative systems.

48 (10) Performance-based treatment system maintenance entity - any person or business entity which has obtained
49 an annual written permit issued on form DH4013 from the DOH county health department in the county where the
50 maintenance entity is located and has been authorized to perform maintenance by the design engineer or
51 manufacturer of all treatment components used in the performance based treatment system and provides operation
52 and maintenance services associated with that performance-based treatment system.

53 (11) Sidewall infiltrative surfaces - the horizontal projection of the drainfield measured from the invert of the
54 drainfield distribution pipe to the bottom infiltrative surface, or to 30 inches below finished grade, whichever is less.

55 (12) Total drainfield depth - the vertical distance from the bottom of the drainfield to the top of the drainfield.

56 (13) Treatment component - any arrangement of equipment and/or material that treats sewage in preparation for
57 further treatment and/or disposal. Treatment components may incorporate a disposal component.

58 (14) Treatment performance standards -

59 (a) Performance standards for effluent from performance-based treatment systems consist of three criteria:

60 1. Annual average concentration is the arithmetic mean of the results of all effluent samples taken within the
61 previous 365 days, expressed as a concentration.

62 2. Individual sample - result of analysis of one effluent sample, whether grab sample or composite sample,
63 expressed as a concentration.

64 3. Percent removal – annual average removal of a pollutant from the discharge of the treatment system
65 compared to the influent from the establishment. The influent stems from a septic tank or similar treatment
66 compartment; percent removal= (1- effluent concentration/influent concentration)*100

67 (b) Treatment performance standards are established for five pollutants.

68 1. Carbonaceous biochemical oxygen demand after five days (CBOD₅), measured in mg oxygen per liter

69 2. Total suspended solids (TSS), measured in mg per liter

70 3. Total nitrogen (TN), the sum of nitrite, nitrate and total Kjeldahl nitrogen, measured in mg nitrogen per liter

71 4. Total phosphorus (TP), measured in mg phosphorus per liter

72 5. Fecal coliform, measured in colony forming units (cfu) or most probable number (MPN) per 100 mL

73 (c) Numerical values for several levels of common treatment performance standards for the five pollutants are
74 defined in Table IX. Compliance during monitoring shall consist of meeting at least one of the three criteria. To
75 achieve compliance the values determined from samples of the system shall be equal to or better than the treatment
76 standards listed. For concentrations, better means lower, for percent removal, better means higher.

77 (15) Wastewater strength - the sum of the CBOD₅ and TSS concentrations.

78

79 PUT TABLE IX HERE

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82 Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a), FS. Law Implemented 381.0065, 381.0067, 386.041,

83 FS. History—New 2-3-98, Amended 3-22-00, 06-18-03, 11-26-06, .

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TABLE IX
PERFORMANCE STANDARDS

POLLUTANT	Domestic Sewage Waste Range	Baseline Septic Tank Effluent Standards	Baseline Treatment Standard 24" below bottom infiltrative surface	Aerobic Treatment Unit Effluent Standards	Secondary Treatment Effluent Standards	Advanced Secondary Treatment Effluent Standards	Florida Keys Nutrient Reduction Effluent Standards	Advanced Wastewater Treatment Effluent Standards
CBOD₅								
-annual average	300 mg/L	150 mg/L	10 mg/l	20 mg/l	20 mg/l	10 mg/l	10 mg/l	5 mg/l
-individual sample	500 mg/L	300 mg/L	20 mg/	60 mg/l	60 mg/l	30 mg/l	30 mg/	10 mg/l
-percent removal	not applicable	not applicable	95	90	90	95	95	97
TSS								
-annual average	200 mg/L	100 mg/L	30 mg/l	20 mg/l	20 mg/l	10 mg/l	10 mg/l	5 mg/l
-individual sample	500 mg/L	200 mg/L	100 mg/	60 mg/l	60 mg/l	30 mg/l	30 mg/l	10 mg/l
-percent removal	not applicable	not applicable	85	90	90	95	95	97
TN								
-annual average	100 mg/L	100 mg/L	70 mg/L	no requirement	no requirement	20 mg/l	10 mg/l	3 mg/l
-individual sample	150 mg/L	150 mg/L	100 mg/L			50 mg/l	40 mg/l	6 mg/l
-percent removal	not applicable	not applicable	30			50	62	90
TP								
-annual average	18 mg/L	18 mg/L	12 mg/L	no requirement	no requirement	10 mg/l	1 mg/l	1 mg/l
-individual sample	25 mg/L	25 mg/L	18 mg/L			20 mg/l	4 mg/l	2 mg/l
-percent removal	not applicable	not applicable	30			25	50	90
Fecal coliform								
-annual average	2.0E+6 cfu/ 100 ml	2.0E+6 cfu/ 100 ml	20 cfu/ 100 ml	no requirement	200 cfu/ 100 ml	200 cfu/ 100 ml	no requirement	1 cfu/ 100 ml
-individual sample	2.0E+7 cfu/ 100 ml	2.0E+7 cfu/ 100 ml	200 cfu/ 100 ml		800 cfu/ 100 ml	800 cfu/ 100 ml		25 cfu/ 100 ml
-percent removal	not applicable	not applicable	99.999		99.99	99.99		99.9999

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Footnote 1. Where chlorine is used for disinfection in a system designed to meet advanced wastewater treatment standard for fecal coliform the design shall include provisions for rapid and uniform mixing; and the total chlorine residual of at least 1.0 mg/l shall be maintained at all times. The minimum acceptable contact time shall be 15 minutes at the peak hourly flow. No individual sample shall exceed 5 mg/L TSS after the last treatment step before application of the disinfectant.

Footnote 2. Where chlorine is used for disinfection in a system designed to meet either the secondary treatment standard or the advanced secondary treatment standard for fecal coliform, the design shall include provisions for rapid and uniform mixing and a total chlorine residual of at least 0.5 mg/l shall be maintained after at least 15 minutes contact time at the peak hourly flow.

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(1) Advanced Secondary Treatment Standards: A wastewater system with the following operational criteria:

(a) CBOD₅ and TSS

1. The arithmetic mean of the CBOD₅ or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 10 mg/l.
2. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 12.5 mg/l.
3. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 15 mg/l.
4. Maximum permissible concentrations of CBOD₅ or TSS values in any effluent grab sample at any time shall not exceed 20 mg/l.

(b) TN

1. The arithmetic mean of the TN values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 20 mg/l.
2. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 25 mg/l.
3. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 30 mg/l.
4. Maximum permissible concentrations of TN values in any effluent grab sample at any time shall not exceed 40 mg/l.

(c) TP

1. The arithmetic mean of the TP values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 10 mg/l.
2. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 12.5 mg/l.
3. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 15 mg/l.
4. Maximum permissible concentrations of TP values in any effluent grab sample at any time shall not exceed 20 mg/l.

(d) Fecal coliform—system operation shall result in not more than 200 fecal coliform colonies per 100 ml of effluent sample. Where chlorine is used for disinfection, the design shall include provisions for rapid and uniform mixing and a total chlorine residual of at least 0.5 mg/l shall be maintained after at least 15 minutes contact time at the peak hourly flow. To determine compliance of a system, the following operational criteria (using either MF or MPN methods) are applicable.

1. The arithmetic mean of the fecal coliform colonies collected during the annual period shall not exceed 200 per 100 ml of effluent.
2. The median value of the fecal coliform colonies for a minimum number of 10 samples of effluent, each collected on a separate day during a period of 30 days (monthly) shall not exceed 200 per 100 ml of sample.
3. No more than 10% of the samples collected during the period of 30 consecutive days shall exceed 400 fecal coliform colonies per 100 ml of sample.
4. Any one sample shall not exceed 800 fecal coliform colonies per 100 ml of sample.

(2) Advanced Wastewater Treatment Standards: A wastewater system with the following operational criteria:

(a) CBOD₅ and TSS

1. The arithmetic mean of the CBOD₅ or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 5 mg/l.
2. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 6.25 mg/l.

153 3. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each
154 collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall
155 not exceed 7.5 mg/l.
156 4. Maximum permissible concentrations of CBOD₅ or TSS values in any effluent grab sample at any time
157 shall not exceed 10 mg/l.
158 (b) TN
159 1. The arithmetic mean of the TN values for the effluent samples collected (whether grab or composite
160 technique is used) during an annual period shall not exceed 3 mg/l.
161 2. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether
162 grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly)
163 shall not exceed 3.75 mg/l.
164 3. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether
165 grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 4.5 mg/l.
166 4. Maximum permissible concentrations of TN values in any effluent grab sample at any time shall not
167 exceed 6 mg/l.
168 (c) TP
169 1. The arithmetic mean of the TP values for the effluent samples collected (whether grab or composite
170 technique is used) during an annual period shall not exceed 1 mg/l.
171 2. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether
172 grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly)
173 shall not exceed 1.25 mg/l.
174 3. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether
175 grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 1.5 mg/l.
176 4. Maximum permissible concentrations of TP values in any effluent grab sample at any time shall not
177 exceed 2.0 mg/l.
178 (d) Fecal coliform—system operation shall result in an effluent in which fecal coliform colonies (per 100
179 ml of sample) are below detectable limits. Where chlorine is used for disinfection, the design shall include
180 provisions for rapid and uniform mixing; and the total chlorine residual of at least 1.0 mg/l shall be
181 maintained at all times. The minimum acceptable contact time shall be 15 minutes at the peak hourly flow.
182 To determine compliance of a system, the following operational criteria (using either MF or equivalent
183 MPN methods) shall be applicable
184 1. Fecal coliform shall be below the detection limits for 75% of the samples collected over a 30 day period.
185 2. Any one sample shall not exceed 25 fecal coliform colonies per 100 ml of sample.
186 3. Any one sample shall not exceed 5.0 mg/l of TSS at a point before application of the disinfectant.
187 (3) Baseline system standards—A wastewater system with the following operational criteria:
188 (a) Effluent concentrations from the treatment tank:
189 1. CBOD₅ < 240 mg/l
190 2. TSS < 176 mg/l
191 3. TN < 45 mg/l
192 4. TP < 10 mg/l
193 (b) Percolate concentrations from the baseline system prior to discharge to groundwater:
194 1. CBOD₅ < 5 mg/l
195 2. TSS < 5 mg/l
196 3. TN < 25 mg/l
197 4. TP < 5 mg/l
198 (4) Bottom infiltrative surface—the vertical projection of the bottom surface of the drainfield that is no
199 lower in elevation than 30 inches below grade.
200 (5) Composite sample—means a combination of individual samples of wastewater or effluent taken at
201 selected intervals, generally hourly or less for some specified period, to minimize the effect of the
202 variability of the individual sample.
203 (6) Grab sample—a sample which is taken from a wastestream without regard to the flow in the
204 wastestream and over a period of time not to exceed fifteen minutes.
205 (7) Effective drainfield depth—the vertical distance from the bottom of the drainfield to the invert of the
206 distribution pipe.
207 (8) Florida Keys nutrient reduction treatment—a treatment which will provide a recovered water product
208 that contains not more, on a permitted annual average basis, than the following concentrations from a

209 sampling point located following the final design treatment step of the onsite sewage treatment and disposal
210 system:

- 211 1. Biochemical Oxygen Demand (CBOD₅)—10 mg/l
- 212 2. Suspended Solids——10 mg/l
- 213 3. Total Nitrogen, expressed as N—10 mg/l
- 214 4. Total Phosphorus, expressed as P——1 mg/l

215 (9) Innovative System—as defined by s. 381.0065(2)(g), F.S.

216 (10) Performance based treatment system—a specialized onsite sewage treatment and disposal system
217 designed by a professional engineer with a background in wastewater engineering, licensed in the state of
218 Florida, using appropriate application of sound engineering principles to achieve specified levels of
219 CBOD₅ (carbonaceous biochemical oxygen demand), TSS (total suspended solids), TN (total nitrogen), TP
220 (total phosphorus), and fecal coliform found in domestic sewage waste, to a specific and measurable
221 established performance standard. This term also includes innovative systems.

222 (11) Performance System Maintenance Entity—any person or business entity which has been issued a
223 written permit by the county health department and has been authorized by the design engineer or
224 manufacturer of all treatment components used in the performance based treatment system and provides
225 operation and maintenance services associated with performance based treatment system.

226 (12) Secondary Treatment Standards: A wastewater system with the following operational criteria:

227 (a) CBOD₅ and TSS

- 228 1. The arithmetic mean of the CBOD₅ or TSS values for the effluent samples collected (whether grab or
229 composite technique is used) during an annual period shall not exceed 20 mg/l.
- 230 2. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each
231 collected (whether grab or composite technique is used) on a separate day during a period of 30 consecutive
232 days (monthly) shall not exceed 30 mg/l.
- 233 3. The arithmetic mean of the CBOD₅ or TSS values for a minimum of four effluent samples, each
234 collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall
235 not exceed 45 mg/l.
- 236 4. Maximum permissible concentrations of CBOD₅ or TSS values in any effluent grab sample at any time
237 shall not exceed 60 mg/l.

238 (b) Fecal coliform—system operation shall result in not more than 200 fecal coliform colonies per 100 ml
239 of effluent sample. Where chlorine is used for disinfection, the design shall include provisions for rapid and
240 uniform mixing and a total chlorine residual of at least 0.5 mg/l shall be maintained after at least 15
241 minutes contact time at the peak hourly flow. To determine compliance of a system, the following
242 operational criteria (using either MF or equivalent MPN methods) are applicable.

- 243 1. The arithmetic mean of the fecal coliform colonies collected during the annual period shall not exceed
244 200 per 100 ml of effluent.
- 245 2. The geometric mean of the fecal coliform colonies for a minimum of 10 samples of effluent, each
246 collected on a separate day, shall not exceed 200 per 100 ml of sample.
- 247 3. No more than 10% of the samples collected during a period of 30 consecutive days shall exceed 400
248 fecal coliform colonies per 100 ml of sample.
- 249 4. Any one sample shall not exceed 800 fecal coliform values per 100 ml of sample.

250 (13) Sidewall infiltrative surfaces—the horizontal projection of the drainfield measured from the invert of
251 the drainfield distribution pipe to the bottom infiltrative surface, or to 30 inches below finished grade,
252 whichever is less.

253 (14) Total drainfield depth—the vertical distance from the bottom of the drainfield to the top of the
254 drainfield.

255 (15) Wastewater strength—the sum of the CBOD₅ and TSS concentrations in the effluent.

Issue Number: 07-24
Subject: Septic Tank field-labeling
Date New: 8/3/2007
Date Initially Heard by TRAP: 8/21/2007
Date Tabled by TRAP: 8/21/2007
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

8/21/07 TRAP Tabled for different field labeling language. documentation and certification. Corrective action plan.

1 | **64E-6.013 Construction Materials and Standards for Treatment Receptacles**

2 | (1) Onsite wastewater treatment receptacle design- The following requirements shall apply to all onsite
3 | wastewater treatment receptacles manufactured for use in Florida unless specifically exempted by other provisions
4 | of these rules:

5 | (a) Onsite wastewater treatment receptacles include: septic tanks, graywater tanks, laundry tanks, grease
6 | interceptors, pump tanks, aerobic treatment unit tanks, tanks containing treatment media, [trash tanks](#), [pretreatment](#)
7 | [tanks](#), and stationary holding tanks not described in 64E-6.0101(7)(p). Treatment receptacles shall be constructed of
8 | concrete, fiberglass or polyethylene.

9 | (b) through (f) No change

10 | (2) Onsite wastewater treatment receptacle design requirements- The following details shall be incorporated
11 | into the design:

12 | (a) through (i) No change

13 | (j) The State Health Office’s designated approval number for the receptacle, and the effective capacity of the
14 | receptacle in gallons shall be cast or stamped into the wall or permanently stenciled or decaled onto the wall at the
15 | inlet end, to begin within 6 inches of the top of the wall. ~~All identifying marks shall be inscribed or affixed at the~~
16 | ~~point of manufacture only.~~ All information supplied in the legend shall be provided with a minimum of two inch
17 | high lettering. [All identifying marks shall be inscribed or affixed at the point of manufacture. Where the](#)
18 | [manufacturer has failed to properly label a receptacle in accordance with this requirement, the manufacturer may](#)
19 | [replace the receptacle or the manufacturer may indelibly and permanently label the receptacle in the field. After the](#)
20 | [receptacle has been labeled in the field, the manufacturer shall provide a written statement to the county health](#)
21 | [department referencing the construction permit number and the specific address of the installation and certifying](#)
22 | [that the receptacle installed has been accurately field-labeled in accordance with this section. Inspection of the tank](#)
23 | [shall occur after receipt of the certification and inspection fee payment. ADD CORRECTIVE ACTION PLAN](#)
24 | [LANGUAGE.](#)

25 | (k) through (m) No change

26 | (3) through (12) No change

27 | Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-
28 | 22-82, Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92, 1-3-95, Formerly 10D-6.055, Amended 11-19-97,
29 | 2-3-98, 3-22-00, 4-21-02, 05-24-04, 11-26-06, ____.

Issue Number: 07-25
Subject: Septic Tank Lids
Date New: 8/13/2007
Date Initially Heard by TRAP: 1/24/2008
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/24/2008
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

1/24/08 Health Office Staff assured the language applied to the tank wall to lid seal. TRAP approved by trap to go to variance.

1/28/08 SHO Staff do not agree whether the language is intended to address the tank wall to lid seal or the hatch cover within the lid seal. Held back from variance committee awaiting staff discussion and possible language clarification.

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64E-6.013 Construction Materials and Standards for Treatment Receptacles

(1) No change

(2) Onsite wastewater treatment receptacle design requirements- The following details shall be incorporated into the design:

(a) through (l) No change

(m) Treatment receptacles shall have a one-piece lid or a lid with a maximum of three sections. All lids shall be designed by Licensed Engineers to be watertight and to meet the structural requirements of ~~in accordance with~~ paragraphs 64E-6.013(1)(e) and (f) and approved by the Department.

(3) through (12) No change

Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92, 1-3-95, Formerly 10D-6.055, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 05-24-04, 11-26-06,_____.

Issue Number: 08-04
Subject: Retesting Tanks to 2006 Standard
Date New: 1/10/2008
Date Initially Heard by TRAP: 6/5/2008
Date Tabled by TRAP: 6/5/2008
Date Initially Approved by TRAP: 8/27/2008
Date Heard by Variance Committee: 10/2/2008
Date of TRAP Final Recommendation: 2/19/2009
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | **64E-6.013 Construction Materials and Standards for Treatment Receptacles**

2 (1) Onsite wastewater treatment receptacle design- The following requirements shall apply to all onsite wastewater
3 treatment receptacles manufactured for use in Florida unless specifically exempted by other provisions of these rules:

4 (a) through (b) No change

5 (c) Design and testing of fiberglass and polyethylene treatment receptacles:

6 1. Vacuum testing shall be conducted in accordance with the department's policy for Test Requirements for Structural
7 Proofing. The vacuum test shall be followed by a water-tightness test.

8 2. Vacuum testing shall demonstrate a distortion of volume of no more than 1% at a safety factor of 1.0 and 2% at a safety
9 value of 1.4 followed by passing a water-tightness test to be considered satisfactory. To determine the vacuum at a 1.0 safety
10 factor, divide the required total vacuum values by 1.4. There shall be no distortion of the access hatch perimeters at the full
11 vacuum load and the access hatch must be able to be removed and reinstalled at the conclusion of the test.

12 3. Water-tightness testing shall be performed as follows: Fill the receptacle with water to the invert of the outlet. The
13 receptacle is approved as water tight if the water level is held for one hour.

14 4. Reapproval of receptacles approved prior to November 26, 2006- It shall be the responsibility of each manufacturer to
15 apply for reapproval of existing Fiberglass and Polyethylene receptacle designs. Receptacles shall be proof tested. If the data
16 from previous receptacle proof testing conducted in accordance with this section show compliance with the current provisions,
17 those data may be used in lieu of additional proof testing. The reapproval request shall list the existing State of Florida
18 approval numbers. The state health office will review the manufacturer's files on record at the state office for verification of
19 approval numbers and satisfactory detailed drawings. The state health office shall notify the manufacturer of deficiencies that
20 must be corrected. If additional drawings are required, the manufacturer shall provide engineering drawings or utilize a
21 standard drawing and dimension table format provided by the state office. Designs shall be submitted to the State of Florida,
22 Department of Health, Bureau of Onsite Sewage Programs.

23 a. Reapproval shall be obtained only after the manufacturer of a specific receptacle model has submitted details of the
24 receptacle and receptacle lid showing:

25 i. Proof testing results in accordance with 64E-6.013(1).

26 ii. Dimensions.

27 iii. Effective capacity in gallons.

28 iv. Freeboard or air space in gallons.

29 v. Production materials.

30 vi. Reinforcing materials. Drawings on file with the state health office that do not detail reinforcing must be updated by
31 the manufacturer.

32 b. A series of receptacles may be approved by successful demonstration of the largest in a series of receptacles. Approval
33 for inclusion of the receptacles to be considered in a series must be obtained from the state health office prior to testing the
34 receptacles.

35 c. The manufacturer shall notify the state health office no less than ten working days prior to the receptacle proof testing.
36 Approval shall not be granted until after successfully passing the required tests, and submitting the testing results.

37 d. The department will issue an approval number to the manufacturer. Form DH 4012, 01/92, "Application for Septage
38 Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank
39 Manufacturing Approval" herein incorporated by reference, shall be used to apply for septic tank manufacturing approval. The
40 form can be obtained from the department.

41 e. Treatment receptacles not re-approved under this section shall not be installed in Florida more than one year following
42 the effective date of this rule.

43 (d) through (f) No change

44 (2) through (12) No change

45
46 Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
47 Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92, 1-3-95, Formerly 10D-6.055, Amended 11-19-97, 2-3-98, 3-22-00,
48 4-21-02, 05-24-04, 11-26-06,_____.

1 Issue 08-09/10-11 Innovative System Permitting and PBTS Design Standards

2 This document combines the language from both issues.

3 08-09 Summary:

- 4
- 5 • Amends section 64E-6.0295 to provide details on innovative systems. Currently, there
 - 6 are very few details on how to permit innovative systems.
 - 7 • Puts all innovative system language in one location. Currently, they are scattered in
 - 8 several sections, frequently without reference to each other.
 - 9 • Establishes two categories of innovative system permits: demonstration permit (up to 12
 - 10 systems for treatment and 70 systems for disposal) and development permit (one system), with
 - 11 different data and installation requirements and fees. Development systems can only be
 - 12 installed where a conventional system can be installed
 - 13 • This staged approach allows a pathway for systems that have not had NSF testing or
 - 14 something similar via the development permit to install one system and monitor intensively.
 - 15 Systems that have NSF-testing or something similar can go directly to the demonstration permit
 - 16 • Establishes minimum standards for monitoring protocol. Past practices have varied
 - 17 widely, it appears useful to define minimum standards
 - 18 • Expands documentation required for an innovative system application. Exact
 - 19 specifications are needed. Several items that are useful for a review, such as maintenance
 - 20 manuals and design information are currently only mentioned in the construction permit. The
 - 21 forms DH3143 and DH3144 only indirectly mention some of the items.
 - 22 • Clarifies coordination between applicant, county health department and Onsite Sewage
 - 23 Program Central Office .

24 10-11 Summary:

25 Issue: Provide a common way to assess treatment performance data

- 26 • Formalizes that the Bureau will have a data compilation on treatment performance
- 27 • Initiates a reclassification process by six months after this rule becomes effective, so that
- 28 data requirements are consistent between treatment systems, and establishes data
- 29 requirements for this reclassification.
- 30 • Incorporates HSES 10-01 for review of performance claims, with the additional provision
- 31 that for nitrogen reduction, percent reduction is the parameter to be looked at. Test center data
- 32 to support performance claims have to include at least ten weeks of data and have an expiration
- 33 time (15 years).

- 34 • Soil treatment effectiveness will be addressed after the final report from phase II of the
35 nitrogen study.
36

37
38 Note also the following definitions in 64E-6.025 in issue 07-23
39

40 (3) Disposal component – arrangement of equipment and/or materials that distributes
41 effluent within a drainfield

42 (13) Treatment component - any arrangement of equipment and/or material that treats
43 sewage in preparation for further treatment and/or disposal. Treatment components may
44 incorporate a disposal component.
45

46
47 64E-6.004 Application for System Construction Permit

48 (1) through (7) No change

49 (8) Innovative Systems for residential and non-residential establishments shall be permitted
50 in accordance with Part IV of this Chapter. ~~or new product approval for onsite sewage~~
51 ~~treatment and disposal systems shall be initiated by submittal of an application for permit using~~
52 ~~Form DH 3143, Jan. 94, hereby incorporated by reference. DOH county health departments are~~
53 ~~authorized to issue installation permits upon receipt of the temporary permit. Form DH 3144,~~
54 ~~Jan 94, and Form DH 3145, Jan 94, hereby incorporated by reference, shall be used to record~~
55 ~~information that describes notification requirements between the temporary permit applicant, the~~
56 ~~DOH county health department, and the State Health Office. These forms are to be processed~~
57 ~~by the DOH county health departments..~~

58 Specific Authority 381.0011(4),(13), 381.0065(3)(a), 489.553(3) FS. Law Implemented
59 381.0065, 489.553, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.44,
60 Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044, Amended 11-19-97, 3-22-00,
61 11-26-06,____.

62
63 64E-6.026 Applications for ~~Innovative System Permits and~~ System Construction Permits.

64 ~~(1) Applications for innovative system permits—Applications for innovative system permits~~
65 ~~shall be made using form DH 3143. The application and all supporting information shall be~~
66 ~~signed, dated and sealed by an engineer, licensed in the State of Florida. Except as provided~~
67 ~~for in subsection 64E-6.028(3), F.A.C., alternative drainfield materials and designs shall not be~~

68 ~~approved which would result in a reduction in drainfield size using the mineral aggregate~~
69 ~~drainfield system as described in Rule 64E-6.014, F.A.C., and the total surface area of soil at~~
70 ~~the bottom of the drainfield as the criteria for drainfield sizing comparisons. Applications shall~~
71 ~~include:~~

72 ~~(a) A monitoring protocol designed to validate that the system will perform to the engineer's~~
73 ~~design specifications.~~

74 ~~(b) Compelling evidence that the system will function properly and reliably to meet the~~
75 ~~requirements of this chapter and Section 381.0065, F.S. Such compelling evidence shall include~~
76 ~~one or more of the following from a third-party testing organization approved through the NSF~~
77 ~~Environmental Technology Verification Program:~~

78 ~~1. Side stream testing, where effluent is discharged into a system regulated pursuant to~~
79 ~~Chapter 403, F.S.~~

80 ~~2. Testing of systems in other states with similar soils and climates.~~

81 ~~3. Laboratory testing.~~

82 (2) through (3) renumber as (1) through (2) No change

83 *Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a) FS. Law Implemented 381.0065,*
84 *381.0067, Part I 386 FS. History—New 2-3-98, Amended 6-18-03, 11-26-06, 4-28-10.*

85

86 64E-6.027 Permits.

87 (1) Innovative System Permits shall be issued in accordance with 64E-6.0295, FAC.

88 Components approved as meeting the requirements of 64E-6.012(1) certified by an ANSI-
89 accredited third-party certifying organization, as complying with NSF Standards 40 or 245, shall
90 not be required to obtain or to be tested under an innovative system permit provided the
91 proposed performance is no better than the average performance reported in the applicable
92 evaluation report.—~~An application for system construction permit for an innovative system~~

93 ~~cannot be reviewed until the innovative system permit has been approved specifying the~~
94 ~~number of systems and time limits.—The department's decision to grant or deny the innovative~~
95 ~~system permit shall be based on the presence or absence of compelling evidence that the~~
96 ~~innovative systems will function properly and reliably to meet the requirements of this chapter~~
97 ~~and Section 381.0065, F.S.~~

98 (2) through (7) No change

99

100 **64E-6.0295 Innovative Systems Reclassification.**
101

102 (1) No construction permit for an innovative system shall be issued until the owners of a
103 proprietary technology or their authorized agent, or a person desiring the permitting of a public
104 domain technology makes application for and receives either an innovative system
105 demonstration permit or an innovative system development permit from the ~~Bureau of Onsite~~
106 ~~Sewage Programs~~ Onsite Sewage Program Central Office .

107 (2) Innovative system demonstration permits shall allow the installation of no less than
108 twelve innovative systems for a limited period of time when there is compelling evidence that the
109 system will function properly and reliably to meet the requirements of this chapter and section
110 381.0065, FS. Such compelling evidence shall include results on performance and reliability
111 from successful testing meeting all of the following conditions:

112 (a) Full-scale testing with an average measured daily sewage flow of at least 200 gallons
113 per day.

114 (b) The results of tests include all influent and performance conditions, from observations in
115 at least eight separate weeks over at least five months.

116 (c) The testing of the system met all of the following criteria:

117 1. The testing organization is independent of the developer, the applicant, the owner of a
118 proprietary technology or their authorized agent, ~~and the engineer sealing the application for the~~
119 ~~innovative system application or any of the site specific construction permit applications, and~~
120 ~~maintenance entities maintaining the installed systems.~~ Independence shall mean that there
121 are no employee-employer or subsidiary relationships, or other relationships that would impact
122 on the independence of the testing organization.

123 2. The testing organization has knowledge and experience in conducting such testing.
124 Entities that perform certification testing for organizations accredited to ISO guide 65 (1996)
125 [REFERENCE], testing during EPA's national demonstration projects, testing by government
126 agencies and contractors for government agencies that regulate onsite sewage components or
127 wastewater treatment shall be deemed to comply. Other entities, such as department-
128 accredited analytical laboratories, faculty or staff of an accredited college or university, shall
129 provide documentation demonstrating staff competence, knowledge and experience in
130 environmental testing.

131 3. The testing protocol and its implementation are documented and provide standardized
132 procedures and standards to show ~~how- that the~~ objectives ~~of representativeness,~~ such as
completeness, accuracy and precision are met. All test results shall be reported. Testing

133 according to ANSI-standards or certification standards required for approval in other states or
134 countries, or during EPA's national demonstration projects shall be deemed to fulfill this
135 criterion. Documentation for other testing shall include chain-of-custody procedures and
136 National Environmental Laboratory Accreditation Program (NELAP)-accreditation or applicable
137 equivalent for analytical laboratories providing data, acceptable to the department.

138 (3) Innovative system development permits shall allow the installation of a single innovative
139 system for a limited period of time when the system has not been successfully tested in
140 accordance with paragraphs (2)(a) through (c) above but where testing has been performed that
141 includes at least five monitoring events over at least three months and meeting one or more of
142 the following conditions:

143 (a) Testing in Florida where the innovative system is part of a treatment system regulated
144 and monitored pursuant to Chapter 403, FS, and the flow is within a factor of ten of the
145 estimated sewage flow for which the innovative system is proposed.

146 (b) Testing in Florida as part of department-supervised research.

147 (c) Testing in Florida of systems permitted and installed as a non-innovative onsite sewage
148 treatment system that demonstrate performance at a higher standard than that for which the
149 system was originally permitted.

150 (d) Testing in Florida of the innovative system installed and permitted as part of the building
151 plumbing and not part of the onsite sewage treatment system.

152 (e) Testing in Florida of the innovative system in an experimental setting where the effluent
153 is discharged to a collection or transmission system regulated pursuant to Chapter 403, FS, and
154 the experimental flow is within a factor of five of the estimated sewage flow for which the
155 innovative system is proposed.

156 (f) Testing in Florida that demonstrates the performance and reliability of the component
157 without involving sewage.

158 (g) Full-scale testing with an average measured daily sewage flow of at least 200 gallons
159 per day.

160 (4) Application for either an innovative system development or demonstration permit shall be
161 made to the ~~Bureau of Onsite Sewage Programs~~ Onsite Sewage Program Central -Office
162 accompanied by all required exhibits and fees and shall include the following:

163 (a) Form DH 3143 [REFERENCE] herein incorporated by reference, signed, dated and
164 sealed by an engineer, licensed in the State of Florida

165 (b) Results from testing on performance and reliability. For treatment components, reported
166 test results shall include average, median, 75th percentile and 90th percentile concentrations.

167 For disposal components, reported test results shall include loading, ponding and surfacing
168 observations. For innovative system demonstration permit applications, the results shall be
169 reported by the independent organization performing the testing. For innovative system
170 development permits, the results shall either be reported by the independent organization
171 performing the testing or have been reviewed and certified by an engineer licensed in Florida.

172 (c) An affidavit by the applicant certifying that the technology submitted for approval is the
173 same as the technology for which testing data are provided.

174 (d) A description of the system, including specification of materials used in construction, and
175 its proposed use. The applicant needs to address any differences between the previous test
176 conditions and anticipated conditions in Florida. Such differences may include but are not
177 limited to climate, soils, sewage characteristics, and sewage flow.

178 (e) A design and installation manual, including system design criteria, design performance
179 levels, and transferability of obtained results to different flows and conditions. The manual shall
180 address applicability of the technology to estimated sewage flows ranging from 200 to 5000
181 gallons per day and to different wastewater strengths and characteristics.

182 (f) An operation and maintenance manual, including a replacement part list, for use by a
183 maintenance entity and a system owner, including instructions on how to detect, maintain, and
184 repair a malfunctioning system. The applicant shall address in the manual or a separate
185 document operating extremes such as flooding, loss of power, over-use and under-use, peak
186 use, high organic or grease loading, and as well as operation of the system receiving household
187 cleaners.

188 (g) Inspection instructions for construction and operating permit inspections by the county
189 health department.

190 (h) Recommended qualifications for maintenance entities.

191 (i) A monitoring protocol designed to validate the performance and reliability of the
192 innovative system in Florida. The monitoring protocol shall meet 64E-6.0295(2)(c)3 and the
193 following criteria:

194 1. For innovative system demonstration permits, monitoring for treatment component
195 effectiveness shall extend over a minimum of one year after installation of the first system and
196 with data from a minimum of 48 monitoring events gathered from at least twelve systems. The
197 median of multiple site visits during one 30-day period shall count as one monitoring event.
198 Each site installation may provide not more than a quarter of all monitoring events. Monitoring
199 for disposal components shall have the objective to provide an estimate for the rates at which
200 onsite systems with this component will experience surfacing and ponding to the effective

201 drainfield depth, or similar measures over the first two years after installation. Up to 70% of the
202 monitoring events may be from a non-independent test organization meeting subparagraph
203 (2)(c)2. provided:
204 a. at least 30% of the monitoring events are from an independent test organization meeting
205 subparagraphs (2)(c)1. and 2.; and
206 b. if the median of the dataset from either the independent test organization or the non-
207 independent test organization is more than 10% higher or lower than the median of all of the
208 test data, only the dataset showing the lesser performance is used to determine the overall
209 observation of system performance.
210 2. For innovative system development permits, monitoring for treatment effectiveness,
211 surfacing and ponding as applicable shall be designed to provide compelling evidence required
212 in subsection (2) above.
213 (j) Information on the proposed testing organization, showing whether it meets the
214 requirements of subparagraphs (2)(c)1. and 2. above.
215 (k) A five-year warranty by the applicant to the owner of an installed innovative system for
216 engineering services, contractor equipment, material and labor necessary to secure permits and
217 modify the system or repair the system with a department-approved non-innovative system in
218 case of failure that is not due to owner-non-compliance with operating and maintenance
219 instructions.
220 (l) Procedures to address system malfunction and replacement, premature termination of the
221 monitoring protocol and innovative system evaluation, and criteria for removal of the system at
222 the end of the evaluation or warranty period.
223 (m) For innovative system demonstration permits, the number of systems proposed to be
224 installed, the criteria for site selection, and, if applicable, the procedures for randomly selecting
225 and monitoring representative systems already installed under lesser standards.
226 (n) The required fee per section 64E-6.030, F.A.C.
227 (5) Innovative System Demonstration or Development Permit – An application for system
228 construction permit for an innovative system cannot be reviewed until either innovative system
229 demonstration or development permit has been approved specifying the number of systems and
230 time limits and other permit conditions. For innovative system demonstration permits, the
231 maximum number of systems initially allowed shall be twelve for treatment components and
232 seventy for disposal components. For innovative system development permits, the maximum
233 number of systems allowed shall be one. The department's decision to grant or deny the
234 innovative system permit shall be based on the completeness and accuracy of the application, a

235 reasonable likelihood of meeting the objectives of the monitoring protocol and the presence or
236 absence of compelling evidence that the innovative systems will function properly and reliably to
237 meet the requirements of this chapter and Section 381.0065, F.S. An innovative system permit
238 shall expire five years after having been issued. The applicant or successor can request an
239 extension for a second five year period at least 90 days before the expiration date. After
240 approval, the applicant shall provide annual reports to the ~~Bureau of Onsite Sewage~~
241 ~~Programs~~Onsite Sewage Program Central -Office on the progress of the innovative system
242 evaluation, including a tabular summary of installations and monitoring results.

243 (6) After the innovative system demonstration permit or the innovative system development
244 permit has been issued, DOH county health departments are authorized to issue system
245 construction permits for individual innovative systems when the following conditions are met:

246 (a) The county health department has received a complete application for a performance-
247 based treatment system construction permit and a copy of the innovative system demonstration
248 or development permit, has reviewed it in accordance with 64E-6.027, and has included the
249 monitoring requirements in the operating permit conditions. The design and installation shall
250 comply with the conditions of the innovative permit and the following additional criteria:

251 1. For a construction permit issued under an innovative system demonstration permit, the
252 design engineer shall provide to the county health department, in addition to the construction
253 application for the innovative system, a complete DH 4015 and a draft permit DH 4016 for a
254 non-innovative system, meeting the requirements of this chapter, that will replace the innovative
255 system should it fail.

256 2. For a construction permit issued under an innovative system development permit:

257 a. The innovative system shall be installed only in a location where a baseline treatment
258 system in accordance with part I of this chapter is allowed.

259 b. For innovative systems serving an establishment there shall be an existing and
260 functioning onsite sewage treatment and disposal system permitted under chapter 381.0065,
261 FS, that is available for immediate use.

262 (b) The county health department has received completed form DH 3144, [REFERENCE].

263 (c) The county health department has filed completed form DH 3145 [REFERENCE] with the
264 ~~Bureau of Onsite Sewage Programs~~Onsite Sewage Program Central Office .

265 (d) The ~~Bureau of Onsite Sewage Programs~~Onsite Sewage Program Central -Office has
266 reviewed and approved form DH 3145.

267 (7) Following successful testing of the single system installed under the innovative system
268 development permit and subsequent construction permit, the owners of a proprietary technology

269 or their authorized agent, or a person desiring the permitting of a public domain technology may
270 apply for an innovative system demonstration permit per subsection (3) above.

271 (8) (4) Following the installation and monitoring of the number of systems allowed by the
272 innovative system demonstration permit, the owners of a proprietary technology or their
273 authorized agent, or a person desiring the permitting of a public domain technology applicant
274 may request reclassification of their innovative system by the ~~Bureau of Onsite Sewage~~
275 ~~Programs~~ Onsite Sewage Program Central Office. Requests for reclassification as an
276 alternative system component and design shall be made in accordance with subsection 64E-
277 6.009(7), F.A.C. Requests for reclassification as a performance-based treatment system shall
278 include the following:

- 279 (a) Results and analysis of monitoring of the systems installed.
- 280 (b) Observations of system performance.
- 281 (c) Maintenance, repairs or modifications performed on any systems.
- 282 (d) Comments from the system operators or users.
- 283 (e) Comments from the design engineers who designed the individual system designs.
- 284 (f) Comments from the county health departments in the counties where the systems were
285 installed.
- 286 (g) Specification of the proposed classification as performance-based.
- 287 (h) Rationale for the proposed type of classification desired.
- 288 (i) Proposed monitoring protocol.
- 289 (j) A sample manual addressing the siting, design, installation, inspection, operation,
290 maintenance and abandonment procedures.

291 (9) (2) The ~~Bureau of Onsite Sewage Programs~~ Onsite Sewage Program Central Office shall
292 process the reclassification request in accordance with Chapter 120, F.S. The department shall
293 approve the request only if the department is satisfied that the system will reliably perform to the
294 standards desired under normal operating conditions as demonstrated by the information
295 provided.

296 (10) The Onsite Sewage Program Central Office shall compile data obtained for treatment
297 components during innovative system testing and other testing and publish characteristics of
298 performance. These characteristics shall include:

- 299 (a) System description.
- 300 (b) Pollutant monitored.
- 301 (c) Average independent evaluation results of full-scale systems where influent and effluent
302 conditions are monitored over a period of at least two months and observations of influent and

303 effluent in at least six separate weeks are available. The characteristics will be flow, influent
304 concentration, effluent concentration, and fraction removed. Where multiple such tests are
305 available, the simple average of the tests shall be reported, unless hydraulic residence times
306 varied by a factor of two or more.

307 (d) Testing data documented by qualified independent testing organizations meeting the
308 requirements of subparagraphs (2)(c)1., 2., and 3., [TRAP ISSUE 08-09] collected within the
309 previous 15 years from permitted system installations in Florida and characterized by average,
310 median, 75th and 90th percentile. Where both influent and effluent were measured and appear
311 valid at the same system at the same event, a removal effectiveness shall be estimated. When
312 influent was not measured, R-removal effectiveness for total nitrogen may be estimated
313 assuming an influent TN concentration of 55 mg/L.

314 (e) Other testing data from permitted system installations in Florida within the previous 15
315 years as electronically available, characterized by average, median, 75th and 90th percentile.
316 Where both influent and effluent were measured and appear valid at the same system at the
317 same event, a removal effectiveness shall be estimated. When influent was not measured, R-
318 removal effectiveness for total nitrogen may be estimated assuming an influent TN
319 concentration of 55 mg/L. The person who makes such data available shall document that they
320 comply with the requirements of 64E-6.0295(2)(c)3.

321 (11) Reclassification of innovative and performance-based treatment systems currently in
322 use shall be initiated no later than [AT LEAST SIX MONTHS FOLLOWING THE EFFECTIVE
323 DATE], and the data reported according to subsection (10) shall be screened, according to the
324 following criteria.

325 (a) In order to be considered, data for (10)(c) shall have been gathered over a period of at
326 least five months with influent and effluent data points available in at least ten separate weeks
327 within the previous 15 years.

328 (b) Innovative and performance-based treatment systems that have at least 48 data points
329 combined in (10)(d) and (e) shall be eligible for reclassification as non-innovative performance
330 based treatment systems, provided the data meet the following criteria:

331 1. At least twelve system installations were evaluated for treatment components.
332 2. The median of multiple data during any one 30-day period shall count as one monitoring
333 event.

334 43. At least 30% of the required mainline data points combined from (10)(d) and (e) are from
335 (10)(d)

336 34. No one permitted system installation shall contribute more than a quarter of all data

337 ~~4. At least 30% of the remaining data combined from (10)(d) and (e) are from (10)(d)~~
338
339 5. If the median of the dataset from either (10)(d) or (10)(e) is more than 10% higher or
340 lower than the median of all of the test data, only the dataset showing the poorer performance is
used in the overall observation of system performance.

341 Systems with data that do not meet these criteria have fewer data shall be considered
342 innovative, provided that there is an entity willing to provide the required information.

343 (c) Information required by subsection (1) is on file with the Onsite Sewage Program Central
344 Office.

345 (12) The following review standards shall apply in evaluating proposed performance of
346 treatment components:

347 (a) For cBOD5, TSS, average effluent concentrations of results from ~~(10)(c), subject to~~
348 ~~(11)(a), or from (11)(b)5.combined results of (10)(d) and (e), shall meet the average annual~~
349 ~~treatment performance standard of Table IX proposed.~~ Soil treatment effectiveness shall not be
350 considered in determining compliance with the provisions of 64E-6.028, F.A.C.

351 (b) For fecal coliform, effluent concentration from results from ~~(10)(c), subject to (11)(a), or~~
352 ~~from (11)(b)5.combined results of (10)(d) and (e), (10)(c), subject to (11), or from combined~~
353 ~~results from (10)(d) and (e), shall meet the average annual treatment performance standard~~
354 ~~proposed and the geometric mean shall meet the percent removal performance standard of~~
355 ~~Table IX.99.99 percent reduction for secondary and advanced secondary treatment standards~~
356 ~~and 99.9999 percent reduction for advanced wastewater treatment standards. The design~~
357 ~~engineer may consider S~~soil treatment effectiveness may be considered up to advanced
358 secondary treatment standards if the site-specific design includes monitoring to verify
359 performance, or if evaluated during innovative system testing.

360 (c) For total nitrogen, average percent removal effectiveness from results from ~~(10)(c),~~
361 ~~subject to (11)(a), or from (11)(b)5.combined results of (10)(d) and (e), (10)(c), subject to (11), or~~
362 ~~from combined results from (10)(d) and (e), shall meet the average annual treatment percent~~
363 ~~removal performance standard of the system of Table IX. For the purposes of this section, this~~
364 ~~standard shall be 50% for advanced secondary, 62% for Florida Keys, and 90% for advanced~~
365 ~~wastewater treatment standards.~~ Soil treatment effectiveness shall not be considered, unless
366 evaluated during innovative system testing.

367 (d) For total phosphorus, the design engineer may consider systems treating all domestic
368 sewage or fractions of the graywater of an establishment in at least one treatment receptacle
369 may be deemed to comply with the average effluent concentrations for advanced secondary
370 treatment performance standards. For other systems, average effluent concentration from

371 results from (10)(c), subject to (11)(a), or (11)(b)5 combined results of (10)(d) and (e)(10)(c),
372 subject to (11), or from combined results of (10)(d) and (e), shall meet the average annual
373 treatment performance standard of Table IX proposed, or the design engineer may provide data
374 showing that the influent concentration meets the average annual treatment performance
375 standard proposed. Soil treatment effectiveness shall not be considered in determining
376 compliance with the provisions of 64E-6.028, F.A.C. nor for compliance with the provisions of
377 64E-6.018, F.A.C., unless evaluated during innovative system testing.

378
379 *Rulemaking Authority 381.0011(13), 381.006, 381.0065(3)(a) FS. Law Implemented 381.0065,*
380 *381.0067, 386.041 FS. History—New 6-18-03. Amended _____.*

381

382 64E-6.030 Fees.

383 (1) The following fees are required for services provided by the department.

384	(a) Application and plan review for construction permit for new system.	\$100
385	(b) Application and approval for existing system, if system inspection is not required.	\$35
386	(c) Application and Existing System Evaluation.	\$50
387	(d) Application for permitting of a new performance-based treatment system.	\$125
388	(e) Site evaluation.	\$115
389	(f) Site re-evaluation.	\$50
390	(g) Permit or permit amendment for new system, modification or repair to system.	\$55
391	(h) Research/Training surcharge, new and repair permits.	\$5
392	(i) Initial system inspection.	\$75
393	(j) System reinspection (stabilization, non-compliance or other inspection after the initial	
394	inspection).	\$50
395	(k) Application for system abandonment permit, includes permit issuance and inspection.	\$50
396	(l) Annual operating permit industrial/manufacturing zoning or commercial sewage waste.	
397	\$150	
398	(m) Biennial operating permit for aerobic treatment unit or performance-based treatment	
399	system.	\$100
400	(n) Amendment to operating permit.	\$50
401	(o) Tank Manufacturer's Inspection per annum.	\$100
402	(p) Septage Disposal Service permit per annum.	\$75
403	(q) Portable or Temporary Toilet Service permit per annum.	\$75

404	(r) Additional charge per pumpout vehicle, septage disposal service or portable toilet	
405	service.	\$35
406	(s) Septage stabilization facility inspection fee per annum per facility.	\$150
407	(t) Septage disposal site evaluation fee per annum.	\$200
408	(u) Aerobic treatment unit maintenance entity permit per annum.	\$25
409	(v) Variance Application for a single family residence per each lot or	\$200
410	building site.	
411	(w) Variance Application for a multi-family or commercial building per	\$300
412	each building site.	
413	(x) Application for innovative system product approval.	\$2500
414	<u>1. technology development permit</u>	<u>\$500</u>
415	<u>2. technology demonstration permit</u>	<u>\$2500</u>
416	(2) The following fees are required to accompany applications for registration of individuals	
417	for septic tank contractor or master septic tank contractor or for a certificate of authorization for	
418	partnerships and corporations.	
419	(a) Application for registration including examination.	\$75
420	(b) Initial registration.	\$100
421	(c) Renewal of registration.	\$100
422	(d) Certificate of authorization each two-year period.	\$250
423	<i>Rulemaking Authority 154.06(1), 381.0066, 489.557(1) FS. Law Implemented 381.0065,</i>	
424	<i>381.0066, 489.557 FS. History—New 2-3-98, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06, 9-</i>	
425	<i>24-07, _____.</i>	

Issue Number: 08-10
Subject: When Engineer or Master Contractors are Required
Date New: 5/20/2008
Date Initially Heard by TRAP: 6/5/2008
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

6/5/08 TRAP Tabled this issue.

8/27/08 TRAP Tabled for FOWA to review issue.

2/19/09 TRAP Tabled to await Engineer's Governing Board to provide an opinion. Made change to 4. "drip irrigation systems on ATU."

8/27/09 TRAP Tabled so that FOWA could study issue.

1 | **64E-6.003 Permits**

2 | (1) No change

3 | (2) System Inspection - Before covering with earth and before placing a system into service, a person installing or
4 | constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the
5 | completion of the construction activities and shall have the system inspected by the department for compliance with the
6 | requirements of this Chapter, except as noted in subsection 64E-6.003(3) for repair installations.

7 | (a) If the system construction is approved after an inspection by the DOH county health department, the department shall
8 | issue a "Construction Approval" notice to the installer.

9 | (b) If the system installation does not pass the construction inspection on any type of system installation, the installer shall
10 | make all required corrections and notify the DOH county health department of the completion of the work prior to reinspection
11 | of the system. A reinspection fee shall be charged to the installer for each additional inspection leading up to construction
12 | approval.

13 | (c) Final installation approval shall not be granted until the DOH county health department has confirmed that all
14 | requirements of this Chapter, including building construction and lot grading are in compliance with plans and specifications
15 | submitted with the permit application.

16 | 1. In addition, if the system was designed by an engineer, who shall be licensed in the State of Florida, the DOH county
17 | health department shall require the design engineer or the design engineer's designee, who shall be a licensed engineer, to
18 | certify that the installed system complies with the approved design and installation requirements. Single family residences are
19 | excluded from this requirement, however, all changes to the engineering specifications shall be approved by the design
20 | engineer through permit amendment prior to system installation inspection.

21 | 2. If the system plans and specifications were prepared by a master septic tank contractor, the DOH county health
22 | department shall require the master septic tank contractor to certify that the installed system complies with the approved plans
23 | and installation requirements. Single family residences are excluded from this requirement, however, all changes to the master
24 | septic tank contractor's specifications shall be approved by the master septic tank contractor through permit amendment prior
25 | to the system installation inspection.

26 | ~~3.2.~~ If additional site visits after the construction approval inspection are necessary to establish the compliance of the
27 | building construction and lot grading, or to establish the compliance with any provision of this Chapter, a reinspection fee shall
28 | be charged to the permit applicant for each inspection of the building and site leading to the final installation approval.

29 | (d) through (e) No change

30 | (3) through (6) No change

31 |
32 | Specific Authority 154.06(1), 381.0011(4), (13), 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0012,
33 | 381.0025, 381.0065, 381.0067, 386.041 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-
34 | 92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 05-24-04, 11-26-06, .

35 |
36 | **64E-6.004 Application for System Construction Permit**

37 | (1) through (2) No change

38 | (3) The suitability of a lot, property, subdivision or building for the use of an onsite sewage treatment and disposal system
39 | shall be determined from an evaluation of lot size, anticipated sewage flow into the proposed system, the anticipated sewage
40 | waste strength, soil and water table conditions, soil drainage and site topography and other related criteria. Necessary site
41 | investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed
42 | in the State of Florida pursuant to Chapter 471, F.S. , by department personnel, registered septic tank contractors, master septic
43 | tank contractors, and persons certified under s. 381.0101, F.S. Registered septic tank contractors shall perform site evaluations
44 | for system repairs only. When determining that the necessary site investigations and tests be performed by an engineer licensed
45 | in the State of Florida, the county health department must consider the criteria listed in subsection 64E-6.004(4). Where
46 | permitted by rule, if the applicant chooses to have plans prepared by a master septic tank contractor rather than an engineer, the
47 | department shall not require the site investigations and tests to be performed by an engineer. Results of site investigations shall
48 | be entered on, or attached to, the construction permit application form for consideration by the county health department. The
49 | application shall also include the following data:

50 | (a) through (f) No change

51 | (4) ~~All plans and forms submitted by a licensed engineer shall be dated, signed and sealed. Except as provided for in~~
52 | ~~subsection 64E-6.003(2), the DOH county health department shall require the design engineer to certify that the installed~~
53 | ~~system complies with the approved design and installation requirements.~~ The Under the following circumstances, the DOH
54 | county health department shall require for review and approval, the submission of detailed system construction plans under the
55 | circumstances described herein.

56 | (a) Under the circumstances listed in 1. through 4. below, the plans shall be prepared by either an engineer who is
57 | licensed in the State of Florida or a master septic tank contractor registered under section 64E-6.020. Under the circumstances
58 | listed in 5. through 11. below, the plans shall be prepared by an engineer who is licensed in the State of Florida.;

59 | 1.(a) Systems serving establishments with proposed domestic sewage flow rates of 2500 or more gallons per day.

- 60 | ~~2.(b)~~ Systems serving establishments with proposed commercial sewage flow rates of 1000 or more gallons per day.
- 61 | ~~3.(e)~~ Systems where the total required drainfield area is 1500 square feet or greater.
- 62 | 4. Drip irrigation systems that are not part of a performance-based treatment system.
- 63 | ~~5.(d)~~ The applicant proposes to split the flow from any residence or establishment in a method other than that provided for
- 64 | by rule.
- 65 | ~~6.(e)~~ The repair or modification of an engineer-designed system that meets these criteria for requiring an engineered
- 66 | design and that alters the original engineered design.
- 67 | ~~7.(f)~~ All performance based treatment systems.
- 68 | ~~8.(g)~~ All innovative systems.
- 69 | ~~9.(h)~~ All sites where the seasonal high water table has or will be altered by physical or mechanical means.
- 70 | ~~10.(i)~~ All sites requiring engineer designs as a condition of a variance or waiver approval.
- 71 | 11. Retaining walls required in section 64E-6.009.
- 72 | ~~(j) All drip irrigation systems.~~
- 73 | (b) All plans and forms submitted by a licensed engineer shall be dated, signed and sealed.
- 74 | (c) All plans and forms submitted by a master septic tank contractor shall be dated, signed and include the contractor's
- 75 | registration number.
- 76 | (5) through (8) No change

77
 78 | Specific Authority 381.0011(4),(13), 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 489.553, FS. History—
 79 | New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044,
 80 | Amended 11-19-97, 3-22-00, 11-26-06,____.

81
 82
 83 | **64E-6.009 Alternative Systems**

84 | When approved by the DOH county health department, alternative systems may, at the discretion of the applicant, be
 85 | utilized in circumstances where standard subsurface systems are not suitable or where alternative systems are more feasible.
 86 | Unless otherwise noted, all rules pertaining to siting, construction, and maintenance of standard subsurface systems shall apply
 87 | to alternative systems. In addition, the DOH county health department may, using the criteria in subsection 64E-6.004(4),
 88 | F.A.C., require the submission of plans prepared by an engineer licensed in the State of Florida or a master septic tank
 89 | contractor, prior to considering the use of any alternative system. ~~The DOH county health department shall require an engineer~~
 90 | ~~licensed in the state of Florida to design a system having a total absorption area greater than 1000 square feet and shall require~~
 91 | ~~the design engineer to certify that the installed system complies with the approved design and installation requirements.~~

- 92 | (1) through (4) No change
- 93 | (5) Drip irrigation systems - Drip irrigation systems may, at the option of the applicant, be used in lieu of a mineral
- 94 | aggregate drainfield. Drip irrigation systems shall meet all requirements of this Chapter except as noted below.
- 95 | (a) Drip irrigation systems receiving effluent from an approved aerobic treatment unit- shall meet the following
- 96 | requirements:
- 97 | 1. Drip irrigation systems shall be designed by either an engineer licensed in the state of Florida or a master septic tank
- 98 | contractor.
- 99 | 2. through 23. No change
- 100 | (b) No change
- 101 | (6) through (7) No change
- 102 | (8) Other alternative systems - systems such as ~~low pressure distribution networks,~~ small diameter gravity sewers, low
- 103 | pressure sewer systems, ~~alternating absorption fields,~~ and sand filters designed and submitted by an engineer who is licensed in
- 104 | the State of Florida, meeting the general requirements of this Chapter, shall be approved by the DOH county health department
- 105 | where evidence exists that use of such systems will not create sanitary nuisance conditions, health hazards or pollute receiving
- 106 | waters. Use of an alternative system may require the establishment of procedures for routine maintenance, operational
- 107 | surveillance, and environmental monitoring to assure the system continues to function properly.
- 108 | (9) through (10) No change

109
 110 | Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
 111 | Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00,
 112 | 4-21-02, 06-18-03, 11-26-06,____.

113
 114 | **64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units**

115 | When aerobic treatment units are used for treating domestic and commercial sewage waste, each unit shall be installed,
 116 | operated and maintained in conformance with the following provisions:
 117 | (1) No change

118 (2) The following additional requirements shall also apply to the construction, design, and operation of aerobic treatment
119 units treating 1500 gallons per day or less:

120 (a) through (d) No change

121 (e) Minimum required treatment capacities for systems serving any structure, building or group of buildings shall be based
122 on estimated daily sewage flows as determined from Table IV.

123
124 **TABLE IV**
125 **AEROBIC SYSTEMS**
126 **PLANT SIZING**

127 **RESIDENTIAL:**

128 Number of	129 Building Area	130 Minimum Required
131 Bedrooms	132 in square feet	133 Treatment Capacity
134 1 or 2	135 Up to 1200	136 400
137 3	138 1201-2250	139 500
140 4	141 2251-3300	142 600

143 For each additional bedroom or each additional 750 square feet of building area, or fraction thereof, treatment capacity shall be
144 increased by 100 gallons.

145 **COMMERCIAL:**

146 Estimated Sewage Flow	147 Minimum Required
148 in gallons per day	149 Treatment Capacity
	150 in gallons per day
151 0-400.....	152 400
153 401-500.....	154 500
155 501-600.....	156 600
157 601-700.....	158 700
159 701-750.....	160 750
161 751-800.....	162 800
163 801-1000.....	164 1000
165 1001-1200.....	166 1200
167 1201-1500.....	168 1500

169 **Footnotes to Table IV**

170 1. No change

171 2. These figures assume that the aerobic system will be treating domestic strength sewage with CBOD₅ and suspended
172 solids values typically not exceeding 300 and 200 milligrams per liter, respectively. For wastewaters with higher CBOD₅,
173 higher suspended solids values, or for facilities that exhibit short-term hydraulic surge conditions, additional treatment or pre-
174 treatment facilities shall be required ~~when specified by design engineers, plant manufacturers, or by the DOH county health~~
175 ~~department.~~

176 (f) through (n) No change

177 (3) through (5) No change

178 Specific Authority 154.06(1), 381.0011(4), (13), 381.0065(3)(a), 489.553(3), FS. Law Implemented 381.0065, Part I 386,
179 FS. History—New 3-17-92, Amended 1-3-95, Formerly 10D-6.0541, Amended 11-19-97, 4-21-02, 06-18-03, 11-26-06, .

180 **64E-6.014 Construction Standards for Drainfield Systems**

181 (1) through (2) No change

182 (3) Low-Pressure dosing - where the total required area of drainfield is greater than 1000 square feet or where the
183 applicant proposes to use low-pressure dosing, an automatic dosing device discharging into a low pressure distribution
184 network consisting of 2 inch or smaller diameter schedule 40 PVC or equal pipe with ½ inch or smaller diameter drilled holes
185 shall be used All piping shall use solvent welded connections or equal throughout to prevent dislocation of connections under
186 pressure. The network shall be designed for equal distribution of effluent. For the purposes of this section, equal distribution
187 shall mean that the flow from the least effective hole in the network shall deliver no less than 75% of the flow from the most
188 effective hole. The selected pump capacity (as measured in Gallons Per Minute) versus total dynamic head shall be indicated
189 on a pump curve and shall be shown by calculation to achieve an effluent velocity through the network of at least 2 ft per
190 second to the first exit hole on each lateral. Each line of the pressure network shall individually connect to a pressure manifold
191 and be sealed on their distal ends and shall not be looped with other lines regardless of whether the drainfield is a bed or a
192 trench or whether it is in a mound, filled subsurface installation. Plans and equipment specifications for low-pressure dosing
193 systems shall be approved by the department prior to construction or installation.

- 177 (a) through (d) No change
178 (e) The distribution network ~~for drainfields having an absorption area less than 1500 square feet~~ shall be designed by a
179 Florida licensed professional engineer or a master septic tank contractor. ~~The network for drainfields having an absorption area~~
180 ~~of 1500 square feet or larger shall be designed by a Florida licensed professional engineer.~~
181 (f) No change
182 (4) through (6) No change

183
184 Specific Authority 381.0011(4), (13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
185 Amended 2-5-85, Formerly 10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 05-24-04,
186 11-26-06, .

187
188 **64E-6.015 Permitting and Construction of Repairs**

189 All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and
190 written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only
191 if all of the following conditions are met:

- 192 (1) No change
193 (2) Site evaluations necessary to obtain the above referenced information shall be conducted at the expense of the owner
194 or lessee by ~~department personnel, by an engineer who is licensed in the State of Florida, or by other~~ qualified persons ~~as~~ per
195 subsection 64E-6.004(3). Site specific information may be obtained by the applicant through examination of department
196 records of permits previously issued for the site.
197 (3) through (12) No change

198
199 Specific Authority 381.0011(4), (13), 381.0065(3)(a), FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0065,
200 381.0067, 386.041, FS. History—New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00,
201 05-24-04 11-26-06, .

202

Issue Number: 08-13
Subject: Split blackwater systems to serve some residential additions
Date New: 5/22/2008
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
6/5/08 Withdrawn by SHO for a better solution.

1 | **64E-6.008 System Size Determinations**

2 (1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the
3 estimated daily sewage flow as determined from Table I or the following:

4 (a) through (b) No change

5 Table I No change

6
7 Footnotes to Table I:

8 1. through 6. No change

9 7. When multiple systems serve a single family residence, the sewage flows shall be calculated as 25% from laundry, 25%
10 from the kitchen and 50% from the bathrooms. The flow from multiple bathrooms shall be apportioned based on the number
11 of bathrooms served by each system. The calculated flow to any system receiving [some but not all][a fraction] of the
12 bathroom or kitchen fixture flow shall be multiplied by 1.25. Thus, a single family residence with 400 gpd estimated sewage
13 flow and a system serving the laundry, a system serving the kitchen plus two bathrooms and a third system serving a single
14 bathroom would have flows apportioned as 25% (100 gpd) to the laundry system, 58.3% X 1.25 (292 gpd) to the kitchen and
15 two-bathroom system and 16.7% X 1.25 (83.5 gpd) to the single-bathroom system.

16 (2) through (3) No change

17 (4) Where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and
18 setbacks allow system construction, the applicant may request a separate laundry waste tank and drainfield system. Where an
19 aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the
20 aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

21 (a) through (b) No change

22 (c) If a single system serves the remaining wastewater fixtures in the residence, the ~~The~~ drainfield absorption area serving
23 that system ~~the remaining wastewater fixtures in the residence~~ shall be reduced by 25 percent.

24 (5) through (6) No change

25 Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82,
26 Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-
27 00, 9-5-00, 11-26-06,____.

Issue Number: 08-14
Subject: Monitoring Performance-based Treatment Systems
Date New: 5/22/2008
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
5/27/08 Gerald withdrew to study issue further.

1 | **Systems in the Florida Keys**

2 | **PART II**

3 | **64E-6.018 SYSTEM LOCATION, DESIGN AND MAINTENANCE CRITERIA**

4 |
5 | (1) and (2) No Change

6 |
7 | (3) The owner or lessee of a performance-based treatment system shall obtain and maintain a maintenance contract
8 | with an approved maintenance entity.

9 | (a) All ~~new performance-based~~ onsite sewage treatment and disposal systems shall be inspected and sampled by an
10 | approved maintenance entity at least two times each calendar year. To be considered to be sampled twice in a calendar year,
11 | two samples must be taken during the year and be taken at least four months and not more than seven months apart. Samples
12 | shall be collected by the trained maintenance entity or by staff from a certified testing laboratory. Samples shall be analyzed
13 | by a certified testing laboratory.

14 | (b) A maintenance report shall be kept by the maintenance entity. A copy of all maintenance reports shall be provided
15 | to the county health department. The report shall include the following information:

- 16 | 1. The address of the system.
- 17 | 2. Date and time of inspection.
- 18 | 3. Sample collection time and date, and person who collected sample.
- 19 | 4. Results of ~~all~~ sampling for CBOD₅, TSS, Total Nitrogen and Total Phosphorous. If the system is required to have
20 | disinfection, sample results shall include the disinfectant and fecal coliform concentrations.
- 21 | 5. Volume of effluent treated, to include total monthly and daily average.
- 22 | 6. Maintenance performed.
- 23 | 7. Problems noted with the treatment system and actions taken or proposed to overcome them.

24 |
25 | (4) No change

26 |
27 | Specific Authority 381.0011(4),(13), 381.006, 381.0065(3)(a) and (4)(k), FS. Law Implemented 154.01, 381.001(2),
28 | 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655, FS. History—New 7-15-86, Amended 3-17-92, 1-3-95, Formerly
29 | 10D-6.063, Amended 3-3-98, 3-22-00, 4-21-02, xx-xx-xx).

30 |
31 |
32 | **Performance Based Treatment Systems**

33 | **PART IV**

34 | **64E-6.029 MONITORING**

35 |
36 | (1) No change

37 |
38 | (2) Secondary treatment systems and advanced secondary treatment systems

39 | (a) Systems permitted on or after January 1, 2009, for installation, modification or repair, shall be monitored and
40 | sampled at least two times each calendar year by the performance-based treatment system maintenance entity who shall
41 | maintain a report of all maintenance and sampling activity. To be considered to be sampled twice in a calendar year, two
42 | samples must be taken during the year and be taken at least four months and not more than seven months apart. ~~A~~
43 | ~~maintenance report shall be kept by the performance system maintenance entity.~~ A copy of all maintenance and sampling
44 | reports shall be provided to the county health department on quarterly intervals and shall include all maintenance and sampling
45 | conducted during the previous quarter. All reports must be legible. The report shall include the items required in sections 64E-
46 | 6.029(1)(a)1., 2., 5., 6., and 7., FAC, in addition to the following information:

47 | 1. Ponding depth observed through drainfield observation ports or, when the drainfield design prevents direct
48 | measurement of ponding depth, CBOD₅ and TSS results for samples collected at a point prior to the discharge to the drainfield.

49 | 2. If system performance is necessitated by setback reductions or lot flow allowances:

- 50 | a. Sampling results for Fecal Coliform from Secondary Treatment Systems.
- 51 | b. Sampling results for Nitrogen, Phosphorous and Fecal Coliform from Advanced Secondary Treatment Systems.
- 52 | c. Collection time and date of all samples.
- 53 | d. Name of the person who collected samples.

54 | (b) All reports of operating permit violations shall be reported to the department within five working days.

55 | (c) If the system cannot be brought into compliance with design parameters, the contingency plan must be implemented
56 | by the system owner.

57 | (d) All failures of the performance-based treatment system shall be reported to the county health department by the
58 | maintenance entity within one working day from discovery of failure. The testing laboratory shall mail copies of all results to
59 | the county health department.

60 |
61 | (3) Florida Keys nutrient reduction treatment systems shall be monitored and sampled in accordance with Part II of this
62 | chapter.

63 |
64 | (4) through (8)

66 Specific Authority 381.0011(13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1), FS. Law Implemented 154.01, 381.001(2),
67 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553, FS. History—New 2-3-98,
68 | Amended 3-22-00, 06-18-03, [XX-XX-XX](#).
69

Issue Number: 08-15
Subject: Bedroom Definition
Date New: 6/2/2008
Date Initially Heard by TRAP: 6/5/2008
Date Tabled by TRAP: 1/28/2010
Date Initially Approved by TRAP: 12/2/2010
Date Heard by Variance Committee: 7/7/2011
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.002 Definitions.**

2 For the purposes of this chapter, the following words and phrases shall have the meanings indicated:

3 (1) through (10) No change

4
5 ~~(11) Bedroom—A room designed primarily for sleeping or a room which is expected to routinely provide~~
6 ~~sleeping accommodations for occupants.~~

7 (11) Bedroom – A room that is listed as descriptive of the residence if the residence was on the market for sale
8 or rent and that can be used for sleeping, which is located along an exterior wall, has an emergency escape and
9 rescue opening and a door. A room cannot be considered a bedroom if it is used to access another room unless
10 the room that is accessed is a bathroom or a closet. For the purpose of determining system capacity, occupancy is
11 calculated as a maximum of two persons per bedroom.

12
13 (12) to (59) No change

14 *Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a) FS. Law Implemented 381.0065, 381.00655 FS. History–*
15 *New 12-22-82, Amended 2-5-85, Formerly 10D-6.42, Amended 3-17-92, 1-3-95, Formerly 10D-6.042, Amended*
16 *11-19-97, 3-22-00, 11-26-06,_____.*

17

Issue Number: 08-16
Subject: Requirements for Engineer's Staff to do Site Evaluations
Date New: 6/25/2008
Date Initially Heard by TRAP: 8/27/2008
Date Tabled by TRAP:
Date Initially Approved by TRAP: 8/27/2008
Date Heard by Variance Committee: 10/2/2008
Date of TRAP Final Recommendation: 2/19/2009
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.004 Application for System Construction Permit

(1) through (2) No change

WARNING...EDIT MANUALLY...DO NOT LOSE SOIL SCIENTISTS WHICH ARE NOT IN THIS VERSION

(3) The suitability of a lot, property, subdivision or building for the use of an onsite sewage treatment and disposal system shall be determined from an evaluation of lot size, anticipated sewage flow into the proposed system, the anticipated sewage waste strength, soil and water table conditions, soil drainage and site topography and other related criteria. Necessary site investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed in the State of Florida pursuant to Chapter 471, F.S. ~~;~~ by persons who have successfully completed a department-approved soils morphology course who are working under the direct responsible charge of an engineer licensed under Chapter 471, F.S.; by department personnel, registered septic tank contractors, master septic tank contractors, professional soil scientists certified and registered by the Florida Association of Environmental Soil Scientists; ~~;~~ or by ~~and~~ persons certified under s. 381.0101, F.S. Registered septic tank contractors shall perform site evaluations for system repairs only. When determining that the necessary site investigations and tests be performed by an engineer licensed in the State of Florida, the county health department must consider the criteria listed in subsection 64E-6.004(4). Results of site investigations shall be entered on, or attached to, the construction permit application form for consideration by the county health department. The application shall also include the following data:

(a) through (f) No change

(4) through (8) No change

Specific Authority 381.0011(4),(13), 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 489.553, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044, Amended 11-19-97, 3-22-00, 11-26-06, .

Issue Number: 08-17
Subject: Issues suggested by Mr. Scharr
Date New: 8/4/2008
Date Initially Heard by TRAP: 8/27/2008
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

8/8/08 DOH Staff discussed.

8/27/08 TRAP tabled low pressure design issue for FOWA to study; Advised DOH to move forward with Water Billing Records issue; Advised DOH to work with soil scientists on Spodic Horizons Issue.

2/19/09 Brought all eight of Mr. Scharr's issues to TRAP.

Issue 1, lot fill, No rule needed. Do staff development.

Issue 2, fill between chambers, Develop rule issue 09-05

Issue 3, unobstructed area, Develop rule issue 09-06

Issue 4, low pressure dosing, develop rule issue - splitting by lift dose pump to two gravity drainfields is ok 09-07

Issue 5, residential sizing (large houses); table because this issue is being addressed in bedroom definition issue 08-15

Issue 6, water billing records, Rule issue developed - will present at next TRAP meeting-issue 09-02

Issue 7, effluent dispersion, develop rule issue 09-08

Issue 8, spodic horizons, under discussion with soil scientists - discussion to continue. 09-09

Will be broken into separate issues.

1 Low Pressure Design

2
3 Issue:

4
5 64E-6.014(3) requires low-pressure design when the total required area of the drainfield of a system exceeds
6 1,000 S.F.

7
8 Concern:

9
10 Larger systems may be split into 2 drainfields because of space limitations, using 2 pumps. Where this is
11 done and each drainfield is 1000 SF or less, the reason for low-pressure design is eliminated and the
12 additional cost is not justified.

13
14 Recommendation:

15
16 That the requirement for low-pressure design be removed when an individually dosed drainfield does not
17 exceed 1000 SF.

18
19
20 Water Billing Records

21
22 Issue:

23
24 Paragraph 64E-6.015(6)(d) has been interpreted by the Department of Health to require the use of billing
25 records for water service to be used for the design flow for commercial repairs with no consideration or
26 analysis allowed to arrive at estimated sewage flow.

27
28 Concern:

29
30 This interpretation ignores many factors that may cause billing records to be substantially higher than real
31 sewage flow and unnecessarily increases the size and cost of repair installations.

32
33 Recommendations:

34
35 That designers be allowed to use good judgment in reviewing billing records and that Table I estimated flows
36 be used when billing records do not provide sewage flow.

37
38
39 Spodic Horizons

40
41 Issue:

42
43 Memo of October 16, 1986 requires 42" separation to spodic horizons, or removal, assuming they are
44 automatically severely limited.

45
46 Concern:

47
48 Horizons of soil in, for example, Pomello, may be interpreted as spodic horizons, even though they are
49 undeveloped and may not be restrictive to water movement. Normal Code procedures and separations, with
50 competent evaluators are sufficient to deal with these situations. Unless excavation/replacement sometimes
51 results because these undeveloped spodic horizons are evaluated over-conservatively to avoid a later re-
52 excavation.

53
54 Recommendation:

55
56 That evaluators be allowed to make a judgment on the restrictive conditions during the site evaluation and
57 design accordingly using normal code procedures and separations.

Issue Number: 08-18
Subject: Portable restrooms for temporarily displaced persons
Date New: 7/25/2008
Date Initially Heard by TRAP: 8/27/2008
Date Tabled by TRAP:
Date Initially Approved by TRAP: 8/27/2008
Date Heard by Variance Committee: 10/2/2008
Date of TRAP Final Recommendation: 2/19/2009
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 |
2 |
3 | **STATE OF FLORIDA**
4 | **DEPARTMENT OF HEALTH**
5 | **CHAPTER 64E-6, FLORIDA ADMINISTRATIVE CODE**
6 | **STANDARDS FOR ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS**

7 | **PART I**

8 | **64E-6.001 General**

9 | (1) No change

10 | (2) Structures used or intended for human occupancy, employment or service to the public and locations where people
11 | congregate, such as construction sites, fairs, [housing for displaced persons](#), and field locations for agricultural workers shall
12 | provide approved wastewater treatment and disposal systems. Except for the provisions of Rule 64E-6.0101, permanent
13 | structures shall not rely upon the use of holding tanks and portable toilets for wastewater treatment and disposal.

14 | (3) through (7) No change

15 | Specific Authority 381.0011(4), (13), 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067,
16 | 386.041, 489.553, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-
17 | 13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 05-24-04, 11-26-06,____.

18 |
19 |
20 | **64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.**

21 | (1) through (6) No change

22 | (7) Portable Restrooms, Portable Holding Tanks, Stationary Holding Tanks, Mobile Restroom Trailers, Mobile Shower
23 | Trailers, and Portable Sinks

24 | (a) through (x) No change

25 | [\(y\) Whenever temporary housing is provided to people who are homeless as a result of displacement from their homes](#)
26 | [either by immigration, natural disaster, or financial hardship, a minimum of one toilet, one hand washing sink, and one shower](#)
27 | [for each 20 people or fraction thereof shall be provided at the housing facility.](#)

28 | (8) No change

29 | Specific Authority: 381.0011(4), (13), 381.0065(3)(a), 489.553(3), FS. Law Implemented: 381.0012, 381.0065, 386.041,
30 | FS. History: New 05-24-04, Amended 11-26-06,____.

31 |

Issue Number: 09-01
Subject: Non-Transient Recreational Vehicle Space Flow
Date New: 1/16/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.008 System Size Determinations**

2 (1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on
 3 the estimated daily sewage flow as determined from Table I or the following:

4 (a) through (b) No change

5 **TABLE I**
 6 **For System Design**
 7 **ESTIMATED SEWAGE FLOWS**

8 TYPE OF ESTABLISHMENT	9 GALLONS PER DAY
10 COMMERCIAL:	
11 Mobile Home Park <u>or Recreational Vehicle Park</u>	
12 (a) per single-wide mobile home <u>space or</u>	
13 <u>non-transient recreational vehicle space or</u>	
14 <u>park model</u> space, less than 4 single-wide	
15 spaces connected to a shared onsite system.....	250
16 (b) per single-wide mobile home <u>space or</u>	
17 <u>non-transient recreational vehicle space or</u>	
18 <u>park model</u> space, 4 or more single-wide	
19 spaces connected to a shared onsite system.....	225
20 (c) per double-wide mobile home space <u>or,</u>	
21 <u>non-transient recreational vehicle space</u>	
22 <u>less than 4 double-wide mobile home spaces</u>	
23 <u>connected to a shared onsite system</u>	300
24 (d) per double-wide mobile home space <u>or,</u>	
25 <u>non-transient recreational vehicle space,</u>	
26 <u>4 or more double-wide mobile home spaces</u>	
27 <u>connected to a shared onsite system</u>	275
28 (e) <u>per transient recreational vehicle space for</u>	
29 <u>overnight stay, without water</u>	
30 <u>and sewer hookup per vehicle space.....</u>	50
31 (f) <u>per transient recreational vehicle space for</u>	
32 <u>overnight stay, with water and sewer</u>	
33 <u>hookup per vehicle space.....</u>	75
34 Office building	
35 per employee per 8 hour shift or	15
36 per 100 square feet of floor space, whichever is greater	15
37 Transient Recreational Vehicle Park	
38 (a) Recreational vehicle space for	
39 overnight stay, without water	
40 and sewer hookup per vehicle space.....	50
41 (b) Recreational vehicle space for	
42 overnight stay, with water and sewer	
43 hookup per vehicle space.....	75

44 (2) through (6) No change

45 Specific Authority ~~381.0011(4),(13),~~ 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-
 46 22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97,
 47 Amended 3-22-00, 9-5-00, 11-26-06, .

Issue Number: 09-02
Subject: Metered Water Use Records
Date New: 2/10/2009
Date Initially Heard by TRAP: 2/19/2009
Date Tabled by TRAP: 12/2/2010
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

2/19/09 TRAP Tabled until next meeting.

8/27/09 TRAP Tabled for DOH to develop language eliminating requirement to use metered water flow for repairs and to include language having metered water flows considered but not the required determiner.

8/31/2010 Returned to TRAP agenda. Allow excluding highest three months. If the last month is to be excluded, correction documentation is required.

9/23/10 On agenda but not discussed at TRAP. Did not complete agenda.

12/2/2010 TRAP tabled to rework issue. One suggestion was to design 25% above average metered flow .

1 **64E-6.015 Permitting and Construction of Repairs**

2 All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and
3 written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only
4 if all of the following conditions are met:

5 (1) through (5) No change

6 (6) Construction materials used in system repairs shall be of the same quality as those required for new system
7 construction. Aggregate and soil in spoil material from drainfield repairs shall not be used in system repair in any manner.
8 Undamaged infiltration units, pipes and mechanical components may be reused on the original site. Any spoil material taken
9 off site shall be disposed of in a permitted landfill or shall be limed and stockpiled for at least 30 days to prevent a sanitary
10 nuisance. Offsite spoil material stockpile areas shall meet the prohibition requirements of Rule 62-701.300(2), FAC. The
11 resulting lime-treated material shall not be used for drainfield repair, or construction of any onsite sewage treatment and
12 disposal system. Any use of the lime treated material shall not cause a violation of Chapter 386 F.S., and shall not impair
13 groundwater or surface water. Mineral aggregate and soil in spoil material may, at the option of the septic tank contractor and
14 the property owner, be buried on site if limed before burial. Lime amount must be sufficient to preclude a sanitary nuisance.
15 Depth of seasonal high water table to the spoil material must be at least six inches. Setbacks for buried spoil material shall be
16 the same as for onsite sewage treatment and disposal system drainfields. A minimum of six inches of slightly or moderately
17 limited soil shall cover the spoil material and shall extend to at least five feet around the perimeter of the burial site. Any
18 failing system shall, at a minimum, be repaired in accordance with the following criteria:

19 (a) through (c) No change

20 (d) Repairs of commercial systems installed prior to 1983 shall be based on the following criteria:

21 1. Sewage flows shall be determined from values found in Table I of 64E-6.008 or from documented water-use records,
22 whichever is higher. In determining the sewage flow from documented water use records, the applicant shall choose one of the
23 following:

24 a. The on-the highest monthly flow for the previous 18-month period from documented water use records, whichever is
25 higher.

26 b. The fourth-highest monthly flow for the previous 24-month period. In order to discard the most recent month of water-
27 use data, the applicant shall provide documentation of the reason that the month was unusually high and that the excessive
28 water use has been corrected.

29 2. No change

30 (e) through (i) No change

31 (7) through (12) No change

32 Specific Authority 381.0011(4), (13), 381.0065(3)(a), FS. Law Implemented 381.0012, 381.0025, 381.0061, 381.0065,
33 381.0067, 386.041, FS. History—New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00,
34 05-24-04 11-26-06,___.

Issue Number: 09-03
Subject: Requiring ATU's to be installed by the maintenance entity.
Date New: 2/25/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
8/27/09 TRAP Tabled so that FOWA could review proposal.

1 **64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units**

2 When aerobic treatment units are used for treating domestic and commercial sewage waste, each unit shall be installed,
3 operated and maintained in conformance with the following provisions:

4 (1) Aerobic systems designed to treat up to 1500 gallons of sewage waste per day shall be listed by a third party certifying
5 program approved by the State Health Office. Aerobic treatment units shall be in compliance with standards for Class I
6 systems as defined by ANSI/NSF International Standard Number 40, revised July, 2000 , herein incorporated by reference. An
7 approved third party certifying program shall comply with the following provisions in order for units which it has certified to
8 be approved for use in Florida:

9 (a) through (l) No change

10 (m) A copy of the signed maintenance agreement between the property owner or property lessee and an approved
11 maintenance entity shall be provided to the DOH county health department by the maintenance entity. The maintenance
12 agreement shall:

13 1. Initially be for a period of at least 2 years with maintenance to be provided by the maintenance entity who installed the
14 unit. ~~and S~~subsequent maintenance agreement renewals shall be for at least 1 year periods for the life of the system.

15 2. Provide that a maintenance entity which desires to discontinue the provision of maintenance services, notify in writing,
16 the property owners and lessees and the DOH county health department at least 30 days prior to discontinuance of service.

17 3. Provide that, if a private maintenance entity discontinues business, property owners who have previously contracted
18 with the discontinued maintenance service shall, within 30 days of the service termination date, contract with an approved
19 maintenance service and provide the DOH county health department a copy of the newly signed maintenance agreement.

20 4. Provide that each aerobic unit is inspected by an approved maintenance entity at least two times each year. Aerobic
21 treatment units serving commercial establishments shall be inspected four times per year. The maintenance entity shall furnish
22 to the DOH county health department a listing of all aerobic units inspected or serviced during the respective reporting period.
23 As a minimum, reports shall indicate the system owner or building lessee, the street address of the system, the date of system
24 inspection or service and a statement as to the maintenance or service performed. The maintenance entity shall also include a
25 list of the owners who have refused to renew their maintenance agreement.

26 (n) The DOH county health department shall, at least annually, inspect the maintenance and performance of aerobic
27 treatment units. The DOH county health department shall also inspect each authorized maintenance entity, including review of
28 their service records and maintenance agreements.

29 (o) Aerobic treatment units shall be installed by persons who are approved maintenance entities for the unit installed.

30 (3) through () No change

31 Rulemaking Speeifie Authority 154.06(1), 381.0011(4), (13), 381.0065(3)(a), 489.553(3), FS. Law Implemented
32 381.0065, Part I 386, FS. History—New 3-17-92, Amended 1-3-95, Formerly 10D-6.0541, Amended 11-19-97, 4-21-02, 06-
33 18-03, 11-26-06,____.

Issue Number: 09-04
Subject: Portable restroom cleaning requirements
Date New: 3/11/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP:
Date Initially Approved by TRAP: 8/27/2009
Date Heard by Variance Committee: 10/1/2009
Date of TRAP Final Recommendation: 1/28/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.**
2 (1) through (6) No change
3 (7) Portable Restrooms, Portable Holding Tanks, Stationary Holding Tanks, Mobile Restroom Trailers, Mobile Shower
4 Trailers, and Portable Sinks
5 (a) through (g) No change
6 (h) Portable restrooms shall be serviced at least weekly and the inside of the structure housing the storage compartment
7 shall be cleaned on each service visit. Each portable restroom service visit shall include the pumping and removal of the waste
8 contents in the waste water tank and the replacement of a toilet deodorant or disinfectant to prohibit the growth of bacteria in
9 the waste tank. The service visit shall include the use of an antiseptic cleaner on the interior compartment of the portable
10 restroom including the interior walls, the toilet seat and surrounding seat top area, the urinal, and the floor. The service visit
11 shall include the replacement of toilet tissue. The exterior of the portable restroom shall be cleaned periodically.
12 (i) through (x) No change
13 (8) No change
14 Rulemaking Specific Authority: 381.0011(4), (13), 381.0065(3)(a), 489.553(3), FS. Law Implemented: 381.0012,
15 381.0065, 386.041, FS. History: New 05-24-04, Amended 11-26-06,_____.

Issue Number: 09-05
Subject: Fill between drainfield chambers
Date New: 8/12/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

this issue originated as issue 08-17 that contained multiple issues.

8/27/09 TRAP Tabled: Rewrite language to require that soil be in place and in contact with the sidewall at the time of inspection.

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64E-6.008 System Size Determinations

(1) through (4) No change

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

TABLE III No change

Footnotes to Table III:

1. through 4. No change

5. ~~Where more than one soil texture classification is encountered within a soil profile and it is not removed as part of a replacement,~~ Drainfield sizing for standard subsurface drainfield systems and fill drainfield systems shall be based on the most restrictive soil texture adjacent to the drainfield sidewalls or existing in the profile ~~encountered~~ within 24 inches of the bottom of the drainfield absorption surface.

(6) No change

Rulemaking Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-00, 9-5-00, 11-26-06, ____.

64E-6.009 Alternative Systems

Unnumbered introductory paragraph - No change

(1) through (2) No change

(3) Mound systems - are used to overcome certain limiting site conditions such as an elevated seasonal high water table, shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock. Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4), F.A.C., be specified on the construction permit in addition to the following general requirements.

(a) through (d) No change

(e) ~~Where moderately limited soils underlie the mound within 36 inches of the bottom of the drainfield,~~ Drainfield sizing shall be based on the most restrictive soil texture adjacent to the drainfield sidewalls, or existing in the profile to a depth of 36 inches below the bottom of the drainfield, using Table III for soil loading rates.

(f) through (i) No change

(4) through (10) No change

Rulemaking Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 06-18-03, 11-26-06, ____.

Issue Number: 09-07
Subject: Low pressure design
Date New: 8/13/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP:
Date Initially Approved by TRAP: 8/27/2009
Date Heard by Variance Committee: 10/1/2009
Date of TRAP Final Recommendation: 1/28/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 |
2 **64E-6.014 Construction Standards for Drainfield Systems**

3 (1) through (2) No change

4 (3) Low-Pressure dosing - where the total required area of drainfield is greater than 1000 square feet or where the
5 applicant proposes to use low-pressure dosing, an automatic dosing device discharging into a low pressure distribution
6 network consisting of 2 inch or smaller diameter schedule 40 PVC or equal pipe with ½ inch or smaller diameter drilled holes
7 shall be used All piping shall use solvent welded connections or equal throughout to prevent dislocation of connections under
8 pressure. The network shall be designed for equal distribution of effluent. For the purposes of this section, equal distribution
9 shall mean that the flow from the least effective hole in the network shall deliver no less than 75% of the flow from the most
10 effective hole. The selected pump capacity (as measured in Gallons Per Minute) versus total dynamic head shall be indicated
11 on a pump curve and shall be shown by calculation to achieve an effluent velocity through the network of at least 2 ft per
12 second to the first exit hole on each lateral. Each line of the pressure network shall individually connect to a pressure manifold
13 and be sealed on their distal ends and shall not be looped with other lines regardless of whether the drainfield is a bed or a
14 trench or whether it is in a mound, filled subsurface installation. Plans and equipment specifications for low-pressure dosing
15 systems shall be approved by the department prior to construction or installation.

16 (a) Where the total drainfield area is greater than 1000 square feet but not more than 2000 square feet, the applicant may,
17 in lieu of low-pressure dosing, choose to split the drainfield into two drainfields, equal in size, each having no more than 1000
18 square feet, with each drainfield being lift-dosed.

19 (a) through (f) renumbered as (b) through (g) No change

20 (4) through (6) No change

21 Rulemaking Authority 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85,
22 Formerly 10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 05-24-04, 11-26-06, 06-25-
23 09.

Issue Number: 09-09
Subject: Spodic Horizons
Date New: 8/12/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

the requirement to remove all spodic layers is based on an interpretation of the following language provision:
Table III, Footnote 3.

"3. When all other site conditions are favorable, horizons or strata of moderately or severely limited soil may be replaced with slightly limited soil or soil of the same texture as the satisfactory slightly limited permeable layer lying below the replaced layer. . . . "

David and Scott have been discussing this off and on but there is no rule language yet.

8/12/09 now there is rule language.

8/25/09 Received alternative proposal from Scott Franz

8/27/09 TRAP Tabled to await actual proposed language based on Scott's alternative proposal.

1/12/10 created footnote 6 based on Scott's proposed language. Not yet sent to TRAP as there is no consensus within department yet.

1 **ISSUE 09-09 – SPODIC HORIZONS**

2
3 Footnotes to Table III:

4 1. through 2. No change

5 3. When all other site conditions are favorable, horizons or strata of moderately or severely limited
6 soil may be replaced with slightly limited soil or soil of the same texture as the satisfactory slightly limited
7 permeable layer lying below the replaced layer. The slightly limited permeable layer below the replaced
8 layer shall be identified within the soil profile which was submitted as part of the permit application. The
9 resulting soil profile must show complete removal of the moderately or severely limited soil layer being
10 replaced and must be satisfactory to a minimum depth of 54 inches beneath the bottom surface of the
11 proposed drainfield. The width of the replacement area shall be at least 2 feet wider and longer than the
12 drain trench and for absorption beds shall include an area at least 2 feet wider and longer than the
13 proposed bed. Drainfields shall be centered in the replaced area. Where at least 33 percent of the
14 moderately limited soils at depths greater than 54 inches below the bottom of the drainfield have been
15 removed to the depth of slightly limited soil, drainfield sizing shall be based on the following sewage
16 loading rates. Where severely limited soils are being removed at depths greater than 54 inches below the
17 bottom of the drainfield, 100 percent of the severely limited soils at depths greater than 54 inches shall be
18 removed down to the depth of an underlying slightly limited soil. Maximum sewage loading rates for
19 standard subsurface systems installed in replacement areas shall be 0.90 gallons per square foot per day
20 for trench systems and 0.70 gallon per square foot per day for absorption beds in slightly limited soil
21 textures. Where moderately limited soil materials are found beneath the proposed drainfield, and where
22 system sizing is based on that moderately limited soil, soil replacements of less than 33% may be
23 permitted.

24 4. Where coarse sand, gravel, or oolitic limestone directly underlies the drainfield area, the site shall
25 be approved provided a minimum depth of 42 inches of the rapidly percolating soil beneath the bottom
26 absorption surface of the drainfield and a minimum 12 inches of rapidly percolating soil contiguous to the
27 drainfield sidewall absorption surfaces, is replaced with slightly limited soil material. Where such
28 replacement method is utilized, the drainfield size shall be determined using a maximum sewage
29 application rate of 0.80 gallons per square foot per day of drainfield in trenches and 0.70 gallon per
30 square foot per day for drainfield absorption beds.

31 5. Where more than one soil texture classification is encountered within a soil profile and it is not
32 removed as part of a replacement, drainfield sizing for standard subsurface drainfield systems and fill
33 drainfield systems shall be based on the most restrictive soil texture encountered within 24 inches of the
34 bottom of the drainfield absorption surface.

35
36 New Footnote 6 based on Scott's alternative language.

37 6. Where a spodic horizon exists within 42 inches of the bottom of the proposed drainfield or where a
38 a soil replacement is being performed per Footnote 3 and a spodic horizon exists within 54 inches of the
39 bottom of the proposed drainfield and the spodic horizon is determined by the site evaluator to not be
40 severely limiting, the spodic horizon can remain in place and the drainfield shall be sized on a load rate of
41 0.35 gallons per square foot per day regardless of the drainfield configuration. A professional engineer or
42 certified soil scientist can evaluate the remaining spodic horizon and assign a loading rate other than 0.35
43 gallon per square foot per day provided but not higher than otherwise required by rule.

44
45
46
47 Scott Franz's alternative language for August 27, 2009 TRAP

48 When a "spodic" horizon is encountered within a soil profile, the site evaluator can determine if the
49 "spodic" is severely limiting or not severely limiting. If it is determined that the "spodic" horizon is severely
50 limiting, it shall be completely removed and replaced with slightly limiting soil material. If it is determined
51 that the "spodic" horizon is not severely limiting and is within 42 inches of the bottom of the drainfield, it
52 can remain in place and the drainfield shall be sized on a moderately limiting load rate of 0.35 regardless
53 of configuration. A professional engineer or certified soil scientist can make an assessment and assign a
54 load rate other than 0.35.

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56

Issue Number: 09-10
Subject: septage logs
Date New: 3/26/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.010 Septage and Food Establishment Sludge**

2 (1) through (6) No change

3 (7) The food establishment sludge and contents from onsite waste disposal systems shall be disposed of at a site approved
4 by the DOH county health department and by an approved disposal method. Untreated domestic septage or food establishment
5 sludges shall not be applied to the land. Criteria for approved stabilization methods and the subsequent land application of
6 domestic septage or other domestic onsite wastewater sludges shall be in accordance with the following criteria for land
7 application and disposal of domestic septage.

8 (a) through (d) No change

9 (e) All septage and food establishment sludge haulers regulated by Chapter 64E-6, F.A.C. are to maintain a collection and
10 hauling log at the treatment site or at the main business location which provides the information listed below. [A copy of the log](#)
11 [shall be submitted to the DOH county health department quarterly.](#) Records shall be retained for five (5) years.

12 1. date of septage or waste collection

13 2. address of collection

14 3. indicate whether the point of collection is a residence or business and if a business, the type of business

15 4. estimated volume, in gallons, of septage or waste transported

16 5. receipts for lime or other materials used for treatment

17 6. location of the approved treatment facility

18 7. date and time of discharge to the treatment facility

19 8. Acknowledgement from treatment facility of receipt of septage or waste

20 (f) through (v) No change

21 (8) through (10) No change

22 [Rulemaking Specific](#) Authority: 381.0011(4), (13), 381.0065(3)(a), 489.553(3), FS. Law Implemented: 381.0012,
23 381.0061, 381.0065, 386.041, FS. History: New 12-22-82, Amended 2-5-85, Formerly 10D-6.52, Amended 3-17-92, 1-3-95,
24 5-14-96, Formerly 10D-6.052, Amended 3-22-00, 05-24-04, 11-26-06, [_____](#).

25

Issue Number: 09-11

Subject: ATU and PBTS Maintenance Entity Certification by Manufacturers

Date New:

Date Initially Heard by TRAP:

Date Tabled by TRAP:

Date Initially Approved by TRAP:

Date Heard by Variance Committee:

Date of TRAP Final Recommendation:

TRAP Final Recommendation:

Ready for Inclusion in Rule: NO

Issue Development Notes:

8/27/09 Not heard. TRAP ran out of time.

No rule language prepared yet.

Issue Number: 09-12
Subject: Maintenance activity requirements
Date New:
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
None

No rule language prepared yet.

Issue Number: 09-13
Subject: septage storage tanks
Date New: 5/27/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.010 Septage and Food Establishment Sludge**

2 (1) No septic tank, grease interceptor, privy, tank or other receptacle associated with an onsite sewage treatment
3 and disposal system shall be cleaned or have its contents removed until the service person has obtained an annual
4 written permit (Form DH 4013, 01/92, Operating Permit, herein incorporated by reference) from the DOH county
5 health department in the county in which the service company is located. Permits issued under this section authorize
6 the disposal service to handle liquid waste associated with food operations, domestic waste, or domestic septage.
7 Such authorization applies to all septage produced in the State of Florida, and food establishment sludge which is
8 collected for disposal from onsite sewage treatment and disposal systems.

9 (2) Application for a service permit shall be made to the DOH county health department on Form DH 4012,
10 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and
11 Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference. The following must be
12 provided for the evaluation prior to issuance of a service permit:

13 (a) Evidence that the applicant possesses adequate equipment such as a tank truck with a liquid capacity of at
14 least 1500 gallons, pumps, off truck stabilization tanks and pH testing equipment where lime stabilization and land
15 application are proposed, as well as other appurtenances and tools necessary to perform the work intended.
16 Equipment may be placed into service only after it has been inspected and approved by the DOH county health
17 department. Tanks used for the stabilization and storage of septage and food service sludges shall be constructed,
18 sized, and operated in accordance with the following provisions:

19 1. Stabilization tanks and septage storage tanks shall be constructed of concrete, fiberglass, corrosion-resistant
20 steel, or other equally durable material. Tanks shall be watertight and shall be water tested for leaks prior to placing
21 into service. The [stabilization](#) tank shall have a liquid capacity of at least 3000 gallons.

22 2. Construction of concrete tanks shall be at a minimum equal to that required of concrete septic tanks in Rule
23 64E-6.013. Fiberglass tanks and tanks of similar materials shall be constructed in accordance with standards found
24 in Rule 64E-6.013.

25 3. Stabilization tanks shall contain aeration or mixing devices which will ensure thorough agitation or mixing of
26 lime with the waste as specified in Chapter 6, EPA 625/1-79-011, Process Design Manual for Septage Treatment
27 and Disposal, herein incorporated by reference.

Issue Number: 09-14
Subject: Protected Steel Treatment Receptacles
Date New: 7/29/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 8/27/2009
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.013 Construction Materials and Standards for Treatment Receptacles.**

2 (1) Onsite wastewater treatment receptacle design. The following requirements shall apply to
3 all onsite wastewater treatment receptacles manufactured for use in Florida unless specifically
4 exempted by other provisions of these rules:

5 (a) Onsite wastewater treatment receptacles include: septic tanks, graywater tanks, laundry
6 tanks, grease interceptors, pump tanks, aerobic treatment unit tanks, tanks containing treatment
7 media and stationary holding tanks not described in paragraph 64E-6.0101(7)(p), F.A.C.
8 Treatment receptacles shall be constructed of concrete, fiberglass or polyethylene. Grease
9 interceptors shall be permitted to be constructed of protected steel.

10 (b) No change

11 (c) Design and testing of fiberglass, protected steel and polyethylene treatment receptacles:

12 1. through 3. No change

13 (d) through (f) No change

14 (2) through (7) No change

15 (8) Protected steel grease interceptors. The following requirements are applicable to
16 protected steel grease interceptors:

17 (a) Steel used in the construction shall be carbon structural, hot-rolled sheet or strip steel
18 plate having a minimum wall thickness of USS 7 gauge, conforming to either ASTM A36-91,
19 ASTM A569./A569a, or ~~and/or~~ ASTM A653/653M-92, herein incorporated by reference.

20 (b) All welds shall be made in accordance with AWS D1.1, herein incorporated by reference

21 (c) The exterior and interior surfaces of the receptacle shall be prepared by steel grit blasting
22 to a SSPC blast profile based on the coating manufacturer specification. Prior to coating, steel
23 shall be dry and free of dust, oil, oxidation and grease. The substrate surfaces shall be a
24 minimum of 5°F (-15°F) ~~[this is wrong]~~ above the dew point of ambient air. ~~[WHAT IS SSPC?]~~

25 (d) Protection: All protective coatings for steel treatment receptacles shall be solvent and tar-
26 free, two-component polyurethane and/or two-component high temperature epoxy specifically
27 designed for direct application to properly prepared steel surfaces as evidenced by conformance
28 to AWWA C222-99, D102-03 and GS 11, ~~herein incorporated by reference,~~ for VOC and
29 chemical content. Coating minimum DFT thickness shall be verified utilizing a National Institute
30 of Standards (NIST) calibrated electronic magnetic gauge using the NIST thickness
31 standards. ~~[NEED TO DEFINE NIST. WHAT IS DFT?]~~

32 1. Exterior coating materials used in the receptacle manufacturing process shall be capable of
33 effectively resisting the corrosive influences of the liquid components of ground water and
34 chemical conditions typically found in native soils. Materials used shall be formulated to
35 withstand shock, vibration, normal household chemicals, deterioration from sunlight and other
36 environmental factors. Exterior coatings shall be independent-third-party listed as conforming to
37 UL-1746, ~~herein incorporated by reference.~~

38 a. Exterior coating shall be at least 75 MILS thick after curing.

39 b. Exterior coatings shall provide a minimum impact strength of forty (40) inch-pounds when
40 evaluated in accordance with ASTM D256, ~~herein incorporated by reference.~~

41 2. Interior coating materials used in the receptacle manufacturing process shall be capable of
42 effectively resisting the corrosive influences of the liquid components of sewage, sewage gases,
43 organic fats, oils and grease. Materials used shall be formulated to withstand shock, vibration,
44 normal household chemicals, deterioration from sunlight and other environmental factors.

45 a. Interior coating shall be at least 15 MILS thick after curing.

46 b. Interior coating shall provide a minimum impact strength of thirty (30) inch-pounds when

47 evaluated in accordance with ASTM G14, [herein incorporated by reference](#).

48 (e) The manufacturer shall establish a design mix and production process for protective
49 coatings. The manufacturer shall maintain permanent records that are to be available to the
50 Department that includes the material specifications, pertinent design data and production
51 processes. For example; measuring equipment, batch sizes, mixing sequence, transportation
52 techniques from mixer and spraying techniques.

53 (f) Structural proof test three receptacles to the design strength per paragraph 64E-
54 6.013(1)(c), F.A.C., for receptacles having an effective capacity of 1350 gallons or less. The
55 structural integrity of a protected steel receptacle shall be verified by an engineer, laboratory or
56 state employee in accordance with UL58, [herein incorporated by reference](#).

57 (g) Structural proof test one receptacle to the design strength in accordance with paragraph
58 64E-6.013(1)(c), F.A.C., for receptacles having an effective capacity greater than 1350 gallons.
59 The structural integrity of a protected steel receptacle shall be verified by and engineer,
60 laboratory or state employee in accordance with UL58.

61 (h) Protected steel, three-compartment ([basin](#)), passive treatment receptacles utilized as
62 grease interceptors shall be permitted as an alternate design to that specified in 64E-6.013(7),
63 F.A.C. Such receptacles shall be shall be cylindrical, horizontal, atmospheric-type protected steel
64 vessel designed to intercept and collect liquid greasy waste and garbage from the discharge
65 pipng originating from the establishment. The protected steel treatment receptacle shall remove
66 the floating and settleable wastes and prevent their interference with the proper drainage and
67 treatment of municipal wastewater. Free fats, oil, and grease (FOG) concentration in the effluent
68 from the interceptor shall not exceed 100 mg/l (100 PPM).

69 1. Field fabrication of protected steel treatment receptacles shall be prohibited.

70 2. Protected steel, three compartment ([basin](#)) treatment receptacles shall be fabricated,
71 inspected and tested for leakage before shipment from the factory by the manufacturer as a
72 completely assembled, single vessel ready for installation.

73 3. Protected steel, three compartment ([basin](#)) treatment receptacles shall consist of inlet and
74 outlet diffusion/indirect baffle connections with internal cleanout and observation port, fore-
75 [basin](#) with heavy duty sludge baffle, fore-[basin](#) grease dam positioned to prevent discharge of
76 FOG that has been separated from the water, [large](#) sludge and FOG pump-out access, mid-[basin](#)
77 with [heavy-duty](#) sludge baffle, mid-[basin](#) grease dam positioned to prevent discharge of FOG
78 that has been separated from the water, [large](#) sludge and FOG pump-out access, after-[basin](#),
79 after-[basin](#) effluent [downcomer](#), [large](#) sludge and FOG pump-out access, and fittings for vent,
80 sampling, gauging, and lifting lugs, as detailed below:

81 a. A minimum 4 inch influent connection Plain End (PE)

82 b. An internal influent nozzle at the inlet end of the separator, with discharge to inlet
83 diffusion baffle located below the liquid level to prevent re-suspension of separated FOG.

84 c. A [large](#) internal fore-[basin](#) to disperse flow and collect separated FOG and sludge.

85 d. A [heavy-duty](#) sludge baffle to retain sludge and prevent it from entering the effluent
86 [downcomer](#). A cylindrical bottom shall concentrate solids for easy removal.

87 e. One (1) grease dam to allow for discharge from the bottom of the fore-[basin](#) only and
88 positioned so that there cannot be a straight-line flow between the inlet and the outlet.

89 “Switchback Baffling” shall be incorporated to retain wastewater long enough to allow liquefied
90 grease to cool down, separate, and congeal.

91 f. One 24 inch diameter manhole, UL approved, complete with cylindrical [manway](#) extension,
92 cover, gasket, and bolts. Manhole shall be placed to facilitate access into fore-[basin](#) for FOG and

93 sludge removal. ~~Heavy-duty~~ Striker plates shall be placed under the manhole to protect the tank
94 shell during pump-out operations.

95 g. A large internal mid-basin to further disperse flow and collect separated FOG and sludge.
96 h. A ~~heavy-duty~~ sludge baffle to retain sludge and prevent it from entering the effluent
97 downcomer.

98 i. One (1) grease dam to allow for discharge from the bottom of the mid-basin only and
99 positioned so that there cannot be a straight-line flow between the inlet and the outlet.
100 “Switchback Baffling” shall be incorporated to retain wastewater long enough to allow liquefied
101 grease to cool down, separate, and congeal.

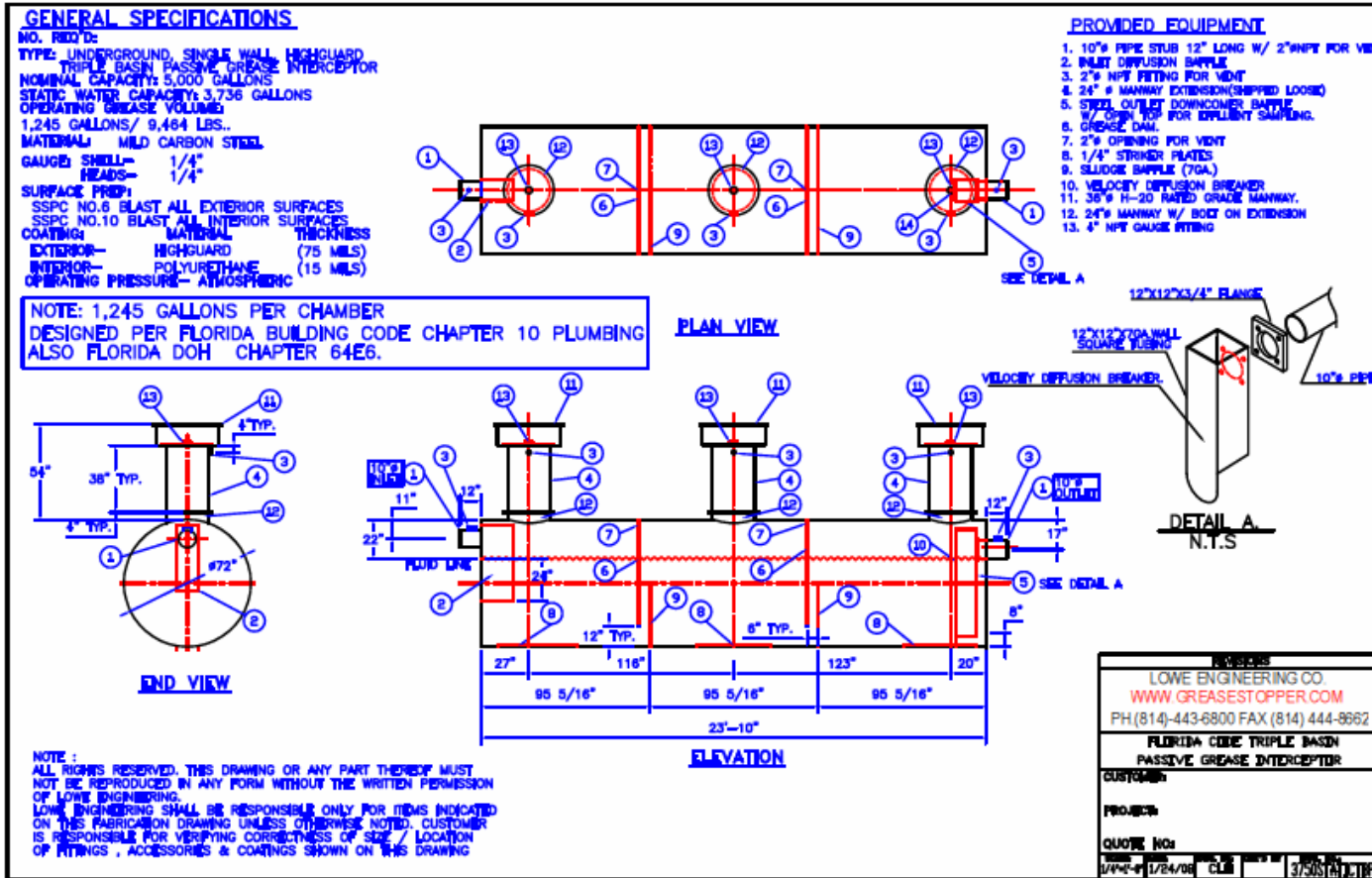
102 j. One 24-inch diameter manhole, UL approved, complete with cylindrical manway extension,
103 cover, gasket, and bolts. Manhole shall be placed to facilitate access into mid-basin for FOG and
104 sludge removal. ~~Heavy-duty~~ Striker plates shall be placed under the manhole to protect the tank
105 shell during pump-out operations.

106 k. A large internal after-basin to collect separated grease.
107 l. An internal effluent downcomer to allow for discharge from the bottom of the after-basin
108 only.

109 m. One 24-inch diameter manhole, UL approved, complete with cylindrical manway
110 extension, cover, gasket, and bolts. Manhole shall be placed to facilitate access into after-basin
111 for grease removal. Striker plates shall be placed under the manhole to protect the tank shell
112 during pump-out operations.

113 n. A minimum 4 inch effluent connection Plain End (PE)
114 o. Fittings for vent, sampling, and gauge.
115 p. Lifting lugs at balancing points for handling and installation.
116 q. Identification plates: Plates to be affixed in prominent location and be durable and legible
117 throughout equipment life that indicate manufacturer name, address and Department’s approval
118 number.

119 (i) Quality Assurance
120 1. Submittals required:
121 a. Shop Drawings: Shop drawings for grease interceptors shall show principal dimensions
122 and location of all fittings.
123 b. Instructions: Provide three complete sets of installation, operation, and maintenance
124 instructions with interceptor.
125 c. Quality Control: Quality control and inspection procedures and reports shall be part of the
126 submittal package.
127 (j) Options: Protected steel treatment receptacles shall be furnished with the following: All
128 options below shall be noted and specified accordingly.
129 1. Protected steel treatment receptacles shall be supplied with polyester hold-down straps,
130 complete with turnbuckles, wire rope and clamps.
131 2. Protected steel treatment receptacles shall be supplied with prefabricated concrete
132 deadman anchors.
133 3. Protected steel treatment receptacles shall be supplied with cylindrical or rectangular steel
134 grade-level manways designed for H-20 traffic rating or aircraft loading.
135 4. Protected steel treatment receptacles shall be supplied with a grease level alarm system.
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(8) through (12) renumbered as (9) through (13) No change

| Rulemaking Specific Authority 381.0011(4), (13), 381.0065(3)(a) FS. Law Implemented
 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92,
 1-3-95, Formerly 10D-6.055, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 5-24-04, 11-26-
 06,___.

Issue Number: 09-15
Subject: Duplexes on one lot
Date New: 8/12/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | **64E-6.004 Application for System Construction Permit**

2 | (1) through (6) No change

3 | (7) Where a property owner proposes to build or has built multiple residences or multiple businesses on a single lot, and
4 | splitting the property to separate any of the business or residences will place the onsite sewage treatment and disposal system
5 | in violation of this chapter, and the entire area of the lot is required to accommodate the designed sewage flow from the
6 | multiple residences or multiple businesses to the onsite sewage treatment and disposal system, the property owner must submit,
7 | prior to issuance of a construction permit, a written utility easement which has been executed and recorded in the public
8 | property records at the county courthouse. The utility easement must bind the property together so that the original lot size is
9 | retained for purposes of compliance with all the requirements of Rule 64E-6, and must include provisions for maintaining the
10 | onsite sewage treatment and disposal system. ~~For example, a duplex built on a single lot with a single onsite sewage treatment~~
11 | ~~and disposal system serving both halves of the duplex must have a written utility easement executed and recorded in the public~~
12 | ~~property records before an onsite sewage treatment and disposal system construction permit is issued. In order to obtain a~~
13 | ~~repair permit, the property owner must submit a copy of the recorded utility easement demonstrating the retention of the~~
14 | ~~original lot size for purposes of the onsite sewage treatment and disposal system and a method for maintaining the system. For~~
15 | ~~example, each half of a duplex built on a single lot with a single onsite sewage treatment and disposal system serving both~~
16 | ~~halves of the duplex is sold to separate persons. If, when the onsite sewage treatment disposal system fails, and a written utility~~
17 | ~~easement was not executed and recorded in the public property records before the sales, it must be done before an onsite~~
18 | ~~sewage treatment and disposal system repair permit is issued.~~

19 | (a) Where a property owner proposes to build or has built a single residence or a single business or multiple residences or
20 | businesses on multiple lots, ~~and the residence's or business's authorized sewage flow requires the use of multiple lots, or parts~~
21 | ~~thereof, for the onsite sewage treatment and disposal system,~~ the property owner must submit, prior to issuance of a permit, a
22 | written utility easement executed and recorded in the public property records at the county courthouse. The utility easement
23 | must bind the required property together so that the original lots and their collective size, or part thereof, is retained for
24 | purposes of the onsite sewage treatment and disposal system, and must include provisions for maintaining the onsite sewage
25 | treatment and disposal system. ~~For example, a residence or business built on three lots with a sewage flow which is large~~
26 | ~~enough to require the land from all three lots must have a written utility easement executed and recorded in the public property~~
27 | ~~records before an onsite sewage treatment and disposal system construction permit may be issued. In order to obtain a repair~~
28 | ~~permit, the property owner must submit a copy of the recorded utility easement demonstrating the retention of the original lots~~
29 | ~~and their collective size for purposes of the onsite sewage treatment and disposal system and a method for maintaining the~~
30 | ~~system.~~

31 | (b) Where a property owner, through inadvertent error or mistake, has built multiple residences or multiple businesses on
32 | a series of lots and each residence or business has its own onsite sewage treatment and disposal system or the sewage flow
33 | from the residence or business exceeds the allowable limits established for the area of land upon which the residence or
34 | business is located, the property owner must execute and record in the public property records, a written utility easement, for
35 | the remaining undeveloped lots in the subdivision, which informs the public of the amount of sewage flow which will be
36 | generated or the number of onsite sewage treatment and disposal systems which will be installed in that subdivision. It must
37 | also state that when the maximum amount of sewage flow or maximum number of onsite sewage treatment and disposal
38 | systems has been reached for the subdivision, no further development can occur until sewer is available.

39 | (8) No change

40 | Rulemaking Specific Authority 381.0011(4),(13), 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 489.553,
41 | FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly
42 | 10D-6.044, Amended 11-19-97, 3-22-00, 11-26-06, ____.

Issue Number: 09-16
Subject: Triple-Wide mobile home spaces; cleanup MHP sizing
Date New: 8/12/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.008 System Size Determinations

(1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the estimated daily sewage flow as determined from Table I or the following:

(a) through (b) No change

**TABLE I
For System Design
ESTIMATED SEWAGE FLOWS**

TYPE OF ESTABLISHMENT	GALLONS PER DAY
Mobile Home Park	
(a) per single wide mobile home space, less than 4 single wide spaces connected to a shared <u>individual</u> onsite system.....	250
(b) per single wide mobile home space, 4 or more single wide spaces are connected to a shared <u>individual</u> onsite system	225
(c) per double wide mobile home space, less than 4 double wide mobile home spaces connected to a shared <u>individual</u> onsite system	300
(d) per double wide mobile home space, 4 or more double wide mobile home spaces connected to a shared <u>individual</u> onsite system.....	275
<u>(e) per triple wide mobile home space, less than 4 triple wide mobile home spaces connected to a shared individual onsite system</u>	<u>350</u>
<u>(f) per triple wide mobile home space, 4 or more triple wide mobile home spaces connected to a shared individual onsite system.....</u>	<u>325</u>

(2) through (6) No change

Rulemaking Authority 381.0065(3)(a), FS. Law Implemented 381.0065, FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-00, 9-5-00, 11-26-06, 06-25-09,_____.

Issue Number: 09-17
Subject: Site Plans
Date New: 8/10/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 64E-6.004(3)

2 |
3 (a) A plan or plat of the lot or total site ownership. The site plan shall be drawn to scale and shall be for the
4 property where the system is to be installed. All site plans shall use standard civil engineering, non-metric scales.
5 Site plans drawn with a scale of 10 – 30 feet to one inch shall have a margin of error of not more than one-half foot.
6 Smaller scale site plans shall have a margin of error of not more than two feet between the scaled distance and the
7 dimension shown or required. Site plans shall be drawn on Form DOH 4015 or submitted on 8.5x11 inch or up to
8 24x36 inch paper using the scale that maximizes the size of the plan.

9 1. The site plan shall show boundaries with dimensions and any of the following features that exist or that are
10 proposed:

- 11 a. Structures;
- 12 b. Swimming pools;
- 13 c. Recorded easements;
- 14 d. Onsite sewage treatment and disposal system components
- 15 e. Slope of the property
- 16 f. Wells;
- 17 g. Potable and non-potable water lines and valves;
- 18 h. Drainage features;
- 19 i. Filled areas;
- 20 j. Excavated areas for onsite sewage systems;
- 21 k. Obstructed areas;
- 22 l. Surface water bodies; and
- 23 m. Location of the reference point for system elevation.

24 2. If the county health department is responsible for performing the site evaluation, the applicant or applicant's
25 authorized representative shall indicate the approximate location of wells, onsite sewage treatment and disposal
26 systems, surface water bodies and other pertinent facilities or features on contiguous or adjacent property. If the
27 features are within 75 feet of the applicant lot, the estimated distance to the feature must be shown but need not be
28 drawn to scale.

29 3. If the county health department will not be performing the site evaluation, the applicant or authorized agent
30 shall be responsible for the measurements to all features, including the pertinent features within 75 feet of the
31 applicant lot. The location of any public drinking water well, as defined in paragraph 64E-6.002(44)(b), within 200
32 feet of the applicant's lot shall also be shown, with the distance indicated from the system to the well.

33 4. If an individual lot is five acres or greater, the applicant may draw a minimum one acre parcel to scale
34 showing all required features, or the minimum size drawing necessary to properly exhibit all required features,
35 whichever is larger. The applicant must also show the location of that one acre or larger parcel inside the total site
36 ownership.

Issue Number: 09-18
Subject: PBTS plans
Date New: 8/10/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | 64E-6.026 Applications for Innovative system permits and System Construction Permits
2 | (2) Applications for system construction permits - All information required in Part I for an
3 | application for system construction permit shall be included as part of the application for
4 | a performance-based treatment system. ~~All Two copies of all~~ information shall be dated,
5 | signed and sealed by the registered engineer who designed the system, and provided to
6 | the department. Upon any change to the design, documentation of two copies of any
7 | revisions shall be provided to the department and shall be dated, signed and sealed by
8 | the registered engineer. Additional information shall include the following:
9 |
10 |

Issue Number: 09-19
Subject: Commercial Sewage Waste Definition
Date New: 8/12/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | **64E-6.002 Definitions**

2 | For the purposes of this Chapter, the following words and phrases shall have the meanings indicated:

3 | (1) through (12) No change

4 | (13) Commercial Sewage Waste - Non-toxic, non-hazardous wastewater from commercial facilities. ~~Examples of~~
5 | ~~establishments.~~ Included in this definition are commercial wastewaters and mixtures of commercial and domestic wastewaters
6 | from commercial and institutional food operations, commercial laundry facilities with no more than four washing 4 machines,
7 | ~~and~~ animal holding facilities (such as commercial kennels, veterinary hospitals, and animal grooming facilities), and beauty
8 | salons, provided toxic, hazardous or industrial wastes are not introduced into the system.

9 | (14) through (59) No change

10 | Rulemaking Specific Authority 381.0011(4),(13), 381.0065(3)(a), FS. Law Implemented 381.0065, 381.00655, FS.

11 | History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.42, Amended 3-17-92, 1-3-95, Formerly 10D-6.042, Amended
12 | 11-19-97, 3-22-00, 11-26-06, _____.

13

Issue Number: 09-20
Subject: Incinerating Toilets
Date New: 8/12/2009
Date Initially Heard by TRAP: 8/27/2009
Date Tabled by TRAP: 1/28/2010
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1
2 **64E-6.009 Alternative Systems**

3 When approved by the DOH county health department, alternative systems may, at the discretion of the
4 applicant, be utilized in circumstances where standard subsurface systems are not suitable or where
5 alternative systems are more feasible. Unless otherwise noted, all rules pertaining to siting, construction,
6 and maintenance of standard subsurface systems shall apply to alternative systems. In addition, the DOH
7 county health department may, using the criteria in subsection 64E-6.004(4), F.A.C., require the
8 submission of plans prepared by an engineer licensed in the State of Florida, prior to considering the use of
9 any alternative system.

10 (1) Waterless, incinerating or organic waste composting toilets - may be approved for use if found in
11 compliance with standards for Wastewater Recycle/Reuse and Water Conservation Systems as defined by
12 ANSI/NSF International Standard Number 41, revised [March 28, 2005, or NSF protocol P157 Electrical](#)
13 [Incinerating Toilets - Health and Sanitization, issued April 28, 2000, ~~May 1983~~](#), hereby incorporated by
14 reference, and provided that graywater and any other liquid and solid waste is properly collected and
15 disposed of in accordance with standards established in this Chapter. For residences, the required drainfield
16 absorption surface and unobstructed area of the system treating the remaining sewage flow shall be reduced
17 by 25% when waterless, incinerating or organic waste composting toilets are used exclusively for all toilet
18 wastes. Solids removed from waterless, incinerating or organic waste composting toilets shall be mixed
19 with lime, containerized, and disposed of with the solid waste from the establishment. Liquids discharging
20 from waterless, incinerating or organic waste composting toilets shall be plumbed into the onsite system
21 serving the establishment.
22

Issue Number: 09-21
Subject: Inspection by engineers
Date New: 8/12/2009
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | **64E-6.003 Permits**

2 (1) System Construction Permit - No portion of an onsite sewage treatment and disposal system shall be installed,
3 repaired, altered, modified, abandoned or replaced until an "Onsite Sewage Treatment and Disposal System Construction
4 Permit" has been issued on Form DH 4016. If building construction has commenced, the system construction permit shall be
5 valid for an additional 90 days beyond the eighteen month expiration date. A fee shall not be charged for a repair permit issued
6 within 12 months from the date of final authorization of the onsite sewage treatment and disposal system. If a construction or
7 repair permit for an onsite sewage treatment and disposal system is transferred to another person the date of the construction or
8 repair permit shall not be amended, but shall run from the date of original issuance prior to the transfer. Servicing or replacing
9 with like kind mechanical or electrical parts of an approved onsite sewage treatment and disposal system; pumping of septage
10 from a system; or making minor structural corrections to a tank, or distribution box, does not constitute a repair.

11 (2) System Inspection - Before covering with earth and before placing a system into service, a person installing or
12 constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the
13 completion of the construction activities and shall have the system inspected by the department for compliance with the
14 requirements of this Chapter, except as noted in subsection 64E-6.003(3) for repair installations.

15 (a) If the system construction is approved after an inspection by the DOH county health department, the department shall
16 issue a "Construction Approval" notice to the installer.

17 (b) If the system installation does not pass the construction inspection on any type of system installation, the installer shall
18 make all required corrections and notify the DOH county health department of the completion of the work prior to reinspection
19 of the system. A reinspection fee shall be charged to the installer for each additional inspection leading up to construction
20 approval.

21 (c) Final installation approval shall not be granted until the DOH county health department has confirmed that all
22 requirements of this Chapter, including building construction and lot grading are in compliance with plans and specifications
23 submitted with the permit application.

24 1. In addition, if the system was designed by an engineer, who shall be licensed in the State of Florida, the DOH county
25 health department shall require the ~~design~~ engineer of record or the ~~design-engineer's~~ engineer of record's designee, ~~who shall~~
26 ~~be a licensed engineer~~, to certify that the installed system complies with the approved design and installation requirements. All
27 ~~Single family residences are excluded from this requirement, however, all~~ changes to the engineering specifications shall be
28 approved by the ~~design~~ engineer of record.

29 2. If additional site visits after the construction approval inspection are necessary to establish the compliance of the
30 building construction and lot grading, or to establish the compliance with any provision of this Chapter, a reinspection fee shall
31 be charged to the permit applicant for each inspection of the building and site leading to the final installation approval.

32 3. If an operating permit is required for the onsite sewage treatment and disposal system, final installation approval shall not be
33 granted until the operating permit application and fee have been received by the Department.

34 (d) Where an establishment is serviced by on onsite sewage treatment and disposal system, section 381.0065(4), F.S., shall
35 govern when occupancy of a building can be allowed. "Approved" installation does not imply that a system will perform
36 satisfactorily for a specific period of time.

37 (e) Systems which are required to have an annual operating permit and the structures which they serve shall be inspected
38 by the department at least once during the term of the permit to determine compliance with the terms of the operating permit.

39 (3) through (6) No change

40 Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041 FS.
41 History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-
42 6.043, Amended 3-22-00, 4-21-02, 05-24-04, 11-26-06, 06-25-09, ____.

Issue Number: 10-01
Subject: Lower Flow rates for Large houses
Date New: 1/28/2010
Date Initially Heard by TRAP: 1/28/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 1/28/2010
Date Heard by Variance Committee: 3/4/2010
Date of TRAP Final Recommendation: 7/15/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.008 System Size Determinations.

(1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the estimated daily sewage flow as determined from Table I or the following:

(a) through (b) No change

TABLE I
For System Design
ESTIMATED SEWAGE FLOWS

TYPE OF ESTABLISHMENT	GALLONS PER DAY
RESIDENTIAL:	
Residences	
(a) Single or multiple family per dwelling Unit	
1 Bedroom with 750 sq. ft. or less of building area.....	100
2 Bedrooms with 751-1200 sq. ft. of building area.....	200
3 Bedrooms with 1201-2250 sq. ft. of building area.....	300
4 Bedrooms with 2251-3300 sq. ft. of building area.....	400
For each additional bedroom or each additional 750 square feet of building area or fraction thereof in a dwelling unit, system sizing shall be increased by 60 <u>60</u> gallons per dwelling unit.	
(b) Other per occupant.....	50

Footnotes to Table I:

1. For food operations, kitchen wastewater flows shall normally be calculated as 66 percent of the total establishment wastewater flow.

2. Systems serving high volume establishments, such as restaurants, convenience stores and service stations located near interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I figures.

3. For residences, the volume of wastewater shall be calculated as 50 percent blackwater and 50 percent graywater.

4. Where the number of bedrooms indicated on the floor plan and the corresponding building area of a dwelling unit in Table I do not coincide, the criteria which will result in the greatest estimated sewage flow shall apply.

5. Convenience store estimated sewage flows shall be determined by adding flows for food outlets and service stations as appropriate to the products and services offered.

6. Estimated flows for residential systems assumes a maximum occupancy of two persons per bedroom. Where residential care facilities will house more than two persons in any bedroom, estimated flows shall be increased by 50 gallons per each additional occupant.

(2) through (6) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09.

Issue Number: 10-02
Subject: Soil Replacement for Drip Systems
Date New: 2/26/2010
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 7/15/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approved
Ready for Inclusion in Rule: YES

1 **64E-6.009 Alternative Systems.**

2 Un-numbered introductory paragraph – No change

3 (1) through (4) No change

4 (5) Drip irrigation systems – Drip irrigation systems may, at the option of the applicant, be used in lieu of a mineral
5 aggregate drainfield. Drip irrigation systems shall meet all requirements of this chapter except as noted below.

6 (a) Drip irrigation systems shall receive effluent from an approved aerobic treatment unit or a performance based treatment
7 system designed to meet at least secondary treatment standards for CBOD₅ and TSS, and shall meet the following
8 requirements:

9 1. through 26. No change

10 27. The minimum effective soil depth below drip emitter lines shall be 42 inches; however, spodic layers greater than 24
11 inches below the drip emitter lines may remain in place at the discretion of the design engineer.

12 (b) Drip irrigation systems shall be monitored during required maintenance visits by visual inspection of the ground
13 surface above the emitter lines for evidence of soil saturation at the ground surface.

14 (6) through (10) No change

15 *Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History–New 12-22-82, Amended 2-5-85, Formerly*
16 *10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 6-18-03, 11-26-06,*
17 *6-25-09.*

Issue Number: 10-04
Subject: Sand lined trenches
Date New: 5/15/2010
Date Initially Heard by TRAP: 10/11/2011
Date Tabled by TRAP:
Date Initially Approved by TRAP: 10/11/2011
Date Heard by Variance Committee: 11/3/2011
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

9/23/10 On agenda but not discussed at TRAP. Did not complete agenda.

12/2/2010 TRAP did not address this issue.

10/11/2011 TRAP passed to Variance committee with "most restrictive soil" changes.

11/3/2011 Variance Comments: SHO - The phrase "karst areas" is not currently and is not proposed to be defined, hence this will cause confusion. Additionally, there is no depth restriction for a karst area. As an example, all of Suwannee county is karst, as is about half of Alachua and a lot of Jackson county. I don't see how it will be able to factually determine if something is karst or not on a specific property. This also creates the situation where CHD's will not be able to properly check the surface area of the soil interface to ensure that soil smearing has not occurred. This also creates a soil textural discontinuity whereby the effluent will be spread along the sand/non-sand textural interface and possibly not proceed down into the moderately limited soil until such time as the effluent has enough head pressure to saturate the area and break through. This could have an adverse effect on the soil regarding biomat formation. Use of natural soil with all of its naturally-occurring pores would seem to be better than this. There has been no evidence presented to support this change, at least not that has been given to the Variance Committee. This also has an impact on Table III Footnotes 3 and 5 which may cause confusion. Same comments for mound system.; DEP- Please clarify or define non-karst or karst areas.; CHD-Be more specific in the language in which type of soils this can be done.; ENG-Ok, I guess, not very effective.; HBI-Why do we need it?; REI-ok; STI-Not a problem, may need more interpretation. Could cause confusion on what is karst and non-karst.

64E-6.008 System Size Determinations.

(1) to (4) No change

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

TABLE III No change

Footnotes to Table III:

1. through 5. No change

6. In non-karst areas where moderately limited soil underlies the drainfield, the moderately limited soil may be removed beneath the entire drainfield to a depth of 24 inches below the bottom of the drainfield. The removed soil shall be replaced with slightly limited soil material. The loading rate for drainfields installed over such a soil replacement shall not be increased to be greater than the loading rate for most restrictive soil in the native soil profile from the elevation of the top of the drainfield to 24 inches below the bottom the drainfield.

(6) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09, ____.

64E-6.009 Alternative Systems.

When approved by the DOH county health department, alternative systems may, at the discretion of the applicant, be utilized in circumstances where standard subsurface systems are not suitable or where alternative systems are more feasible. Unless otherwise noted, all rules pertaining to siting, construction, and maintenance of standard subsurface systems shall apply to alternative systems. In addition, the DOH county health department may, using the criteria in subsection 64E-6.004(4), F.A.C., require the submission of plans prepared by an engineer licensed in the State of Florida, prior to considering the use of any alternative system.

(1) through (2) No change

(3) Mound systems – are used to overcome certain limiting site conditions such as an elevated seasonal high water table, shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock. Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4), F.A.C., be specified on the construction permit in addition to the following general requirements.

(a) through (j) No change

(k) In non-karst areas where moderately limited soil underlies the drainfield, the moderately limited soil may be removed beneath the entire drainfield to a depth of 24 inches below the bottom of the drainfield. The removed soil shall be replaced with slightly limited soil material. The loading rate for drainfields installed over such a soil replacement shall not be increased to be greater than the loading rate for the most restrictive soil in the native soil profile from the elevation of the top of the drainfield to 36 inches below the bottom the drainfield.

(4) through (10) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 6-18-03, 11-26-06, 6-25-09, ____.

Issue Number: 10-05
Subject: Part II (Florida Keys) SB 550, Update standards
Date New: 6/22/2010
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP: 12/2/2010
Date Initially Approved by TRAP: 7/15/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

PART II

64E-6.017 Definitions.

Definitions in Chapter 64E-6, Parts I and III, F.A.C., are also applicable to Chapter 64E-6, Part II, F.A.C.

(1) Basic disinfection – treatment process designed to meet secondary treatment standards for fecal coliform providing an arithmetic annual mean not to exceed 200 fecal coliform colonies per 100 ml sample.

(1) through (3) renumber as (2) through (4) No change

(5) (4) Minimum level of waste treatment – a treatment which will provide a recovered water product that contains not more, on a permitted annual average basis, than the following concentrations from a sampling point located following the final design treatment step of the onsite sewage treatment and disposal system:

- (a) Biochemical Oxygen Demand (CBOD₅) 10 mg/L
- (b) Suspended Solids 10 mg/L
- (c) Total Nitrogen, expressed as N 10 mg/L
- (d) Total Phosphorus, expressed as P 1 mg/L

(5) through (7) renumbered as (6) through (8) No change

Rulemaking Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), (4)(~~L~~) FS., Ch. 99-395, LOF. Law Implemented ~~154.01~~, ~~381.001(2)~~, ~~381.0011(4)~~, ~~381.006(7)~~, ~~381.0061~~, 381.0065, ~~381.00655~~, ~~386.041~~ FS., Ch. 99-395, LOF. History–New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.062, Amended 3-3-98, 3-22-00, ____.

64E-6.018 System Location, Design and Maintenance Criteria.

(1) Table III of Chapter 64E-6, Part I, F.A.C., and other subsections of Part I pertaining to soil texture, soil depth, and maximum sewage loading rates for specific soils shall not apply to areas subject to the provisions of this Part except for Table III, Footnote 2., as it relates to the falling head percolation test procedure. However, approved system design criteria, system location, operation, maintenance and monitoring requirements of this section ~~subsections 64E-6.018(1), (2), (3), and (4), F.A.C.~~ shall apply. A minimum of one soil profile and one percolation test per application shall be required for site evaluations performed in the Florida Keys. However, a soil profile and percolation test is not required when ~~the system design engineer chooses the use of~~ an injection well is used for effluent disposal. The following information shall be used to determine the wet season water table elevation:

(a) U.S. Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) soils maps and soil interpretation records.

(b) Mean high water elevation based on the Department of Environmental Protection, Bureau of Survey and Mapping Land Boundry Information System (LABINS) mean high water data or determined by a surveyor in accordance with Chapter 177, FS.

(c) For the purposes of sections 64E-6.017 through 64E-6.0182, FAC, the wet season water table shall not be lower than the elevation of mean high water nor lower than the bottom of the range of the high water table depth in the USDA-NRCS soils maps and soil interpretation records.

(2) Effluent loading rates for various onsite sewage treatment and disposal system components installed under this part shall not exceed the following:

(a) Nutrient-reducing material-lined drainfield receiving effluent from a performance-based	1.7 gallons per day
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<u>treatment system.</u>	<u>per square foot</u>
<u>(b) Sand-lined drainfield receiving effluent from a performance-based treatment system</u>	<u>1.3 gallons per day per square foot</u>
<u>(c) Sand-lined drainfield receiving effluent from an aerobic treatment unit</u>	<u>1.1 gallons per day per square foot</u>
<u>(d) Sand-lined drainfield receiving effluent from a septic tank</u>	<u>0.9 gallons per day per square foot</u>
<u>(e) Mineral aggregate filter receiving effluent from an aerobic treatment unit</u>	<u>5.5 gallons per day per square foot</u>
<u>(f) Mineral aggregate filter receiving effluent from a performance-based treatment unit designed to meet a performance standard of 10 mg/L for CBOD5 and TSS before the effluent passes through the filter.</u>	<u>8 gallons per day per square foot</u>

35 (3) All new, modified and repaired onsite sewage treatment and disposal systems shall be performance-based treatment
36 systems designed by an engineer licensed in the State of Florida, permitted in accordance with Part IV of this chapter and shall
37 meet the minimum level of waste treatment as defined in section Rule 64E-6.017, F.A.C. All receptacles subject to a positive
38 buoyancy exposure shall be anchored or otherwise weighted to prevent flotation during flooding periods. The engineer's design
39 shall evaluate the receptacles ~~shall be evaluated~~ for buoyancy while in their normal operating condition.

40 (4)(+) An onsite sewage treatment and disposal system which meets the location, construction, maintenance and
41 operational requirements of this section paragraphs 64E-6.018(1)(a) or (b), F.A.C., shall be approved, provided that if an
42 aerobic treatment unit is a component of the system design, the certification, construction, operational and maintenance
43 requirements of Rule 64E-6.012, F.A.C., shall also be met; however, the design engineer may specify an aerobic treatment unit
44 with a minimum treatment capacity equal to the estimated sewage flow in Table I in lieu of using the values in Table IV when
45 the aerobic treatment unit is part of a performance-based treatment system.

46 (a) When final effluent disposal is into a nutrient reducing material-lined drainfield system, the following general
47 requirements shall apply:

48 ~~1. The county health department shall require the installer of a nutrient reducing material lined drainfield system to provide~~
49 ~~certification from the installer's nutrient reducing material supplier that the material supplied for such type of installations~~
50 ~~meets the requirements of this subsection.~~

51 1. A minimum 12 inch thick layer of nutrient-reducing material shall be placed beneath the bottom of the drainfield
52 adsorption surface and a minimum 12 inch wide layer of the nutrient-reducing material shall be placed contiguous to the
53 drainfield sidewall adsorption surfaces and extend from the elevation of the top of the drainfield sidewall down to at least 12
54 inches below the the bottom of the drainfield in order to ensure that all effluent leaving the drainfield through the bottom or
55 sidewalls must pass through at least 12 inches of nutrient-reducing material.

56 2. If the nutrient-reducing material is more coarse than the quartz sand required in subparagraph 64E-6.018(4)(b)1., the
57 nutrient reducing material shall overlie a 12 inch thick layer of quartz sand meeting the particle size requirements for sand
58 liners in subparagraph 64E-6.018(4)(b)1.

59 3. 2- No part of the system shall be within 25 feet of the boundaries of surface water bodies or salt marsh and Buttonwood
60 Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

61 4. 3- The bottom of the drainfield shall be at least 24 inches above the wet season water table. The bottom surface of the
62 nutrient reducing material layer shall be at least 12 inches above ~~mean high water~~ the wet season water table. The bottom

63 surface of the sand layer, if required, shall be at or above the elevation of the wet season water table.

64 ~~4. Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial effects~~
65 ~~of evapotranspiration.~~

66 ~~5. Nutrient reducing material has a finite life span. The nutrient reducing material shall be replaced as necessary to ensure~~
67 ~~that the system continues to meet the minimum level of waste treatment.~~

68 5. Even effluent distribution over the nutrient reducing material layer shall be assured by utilizing low-pressure dosing, or
69 drip irrigation.

70 6. If drip emitter lines are used, the nutrient-reducing material shall extend at least 12 inches horizontally from the drip
71 emitter lines.

72 (b) When final disposal is into a sand-lined drainfield, the following general requirements apply:

73 1. For a sand-lined drainfield, a minimum 12 inch thick layer of quartz sand shall be placed beneath the bottom of the
74 drainfield adsorption surface and a minimum 12 inch wide and minimum 24 inch thick layer of quartz sand shall be placed
75 contiguous to the drainfield sidewall adsorption surfaces in order to provide an additional level of effluent treatment prior to
76 effluent passing into the surrounding natural limestone rock. Sand material shall have either an effective grain size in the range
77 of 0.25 millimeter to 1.00 millimeter and shall have a uniformity coefficient of less than 3.5, or the material shall be of such
78 size whereby at least 90 percent of the sand particles pass a U.S. Standard Number 18 sieve and less than 10 percent pass a
79 number 60 sieve. These materials are in the USDA soil texture classes known as medium sand and coarse sand. The installer of
80 a sand-lined drainfield system shall provide to the Department certification from the installer's sand supplier that the sand
81 supplied for such type of installation meets the requirements of this subsection.

82 2. No part of the system shall be within 25 feet of the mean high water line of tidally influenced surface water bodies or
83 within 25 feet of the mean annual flood line of permanent nontidal surface water bodies or salt marsh and Buttonwood
84 Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

85 3. The bottom of the drainfield shall be at least 24 inches above the wet season water table. At least 12 inches of the sand
86 layer shall be at least 12 inches above the wet season water table.

87 ~~(c)(b)~~ An injection well shall only be approved for final effluent disposal provided setbacks from salt marsh/buttonwood
88 habitats and other surface water bodies cannot be met by another approved effluent disposal system or when the percolation
89 rate is lower than one inch per 30 minutes or where the soil profile shows that caprock underlies the site within 72 inches of the
90 ground surface. ~~noted above, and provided the installation is in~~ Installation of injection wells shall be in compliance with the
91 following:

92 1. An injection well shall not be permitted or installed under the provisions of this part in any area designated by the
93 United States Environmental Protection Agency or the Florida Department of Environmental Protection as having a single or
94 sole source aquifer. Single source aquifer is defined in subsection 62-520.200(14), F.A.C.

95 2. In areas where injection wells are approved for use, the ~~DOH County Health~~ Department shall be the permitting
96 authority for the engineer designed onsite sewage treatment unit and the injection well, where the estimated daily domestic
97 sewage flow will not exceed 2000 gallons per day. For establishments having a total daily domestic sewage flow greater than
98 2000 gallons per day but not greater than 10,000 gallons per day or establishments having a daily commercial sewage flow not
99 greater than 5000 gallons per day, the ~~Monroe County Health~~ Department shall be the permitting authority for the engineer
100 designed treatment unit and DEP is the permitting authority for the injection well and any additional associated effluent
101 treatment device.

102 3. The ground surface within a distance of at least 10 feet in all directions around the injection well and any portion of the

103 onsite sewage treatment and disposal system shall not be subject to ~~frequent surface or ground-water~~ flooding. In addition, the
104 invert of the effluent inlet pipe to the injection well shall be a minimum 18 inches above the estimated mean seasonal high
105 water level.

106 4. If there is adequate vertical and horizontal clearance to allow for proper maintenance, repair or replacement of the
107 treatment unit and injection well, such components of the onsite sewage treatment and disposal system shall be allowed to be
108 placed beneath an elevated building.

109 5. Prior to discharge into an injection well, effluent shall pass through an unsaturated mineral aggregate filter unit as
110 described in this paragraph, or where effluent is passed through a filter unit of another design which has been determined by
111 the State Health Office to allow the discharge of no more than 5 mg/L of CBOD₅ and TSS from the filter and at a minimum
112 shall provide a 50% reduction in CBOD₅ and TSS. The unsaturated mineral aggregate filter shall be designed in accordance
113 with the following:

114 a. Effluent application to the unsaturated mineral aggregate filter unit shall be by gravity or pressure distribution to a
115 perforated pipe distribution system as specified in Rule 64E-6.014, F.A.C. Such distribution system shall be placed within the
116 walls of the mineral aggregate filter and shall be placed above a mineral aggregate filter layer which shall be at least 24 inches
117 thick. Mineral aggregate filter material shall have either an effective size in the range of 1.18 millimeters to 4.75 millimeters
118 and shall have a uniformity coefficient of less than 3.5 or the material shall meet aggregate size number eight or nine according
119 to Florida Department of Transportation specifications under Section 901, "Standard Specifications for Road and Bridge
120 Construction", 1991. The system designer may specify additional layers of filter material above or below the required 24-inch
121 layer of filter material. The Monroe County Health Department shall require the installer of mineral aggregate filter systems to
122 provide certification from the installer's mineral aggregate supplier that the aggregate supplied meets requirements of this sub-
123 paragraph. If the filter is not sealed with a lid meeting the requirements for septic tank lids in 64E-6.013, F.A.C., the top of the
124 filter shall be at least 18 inches above the elevation of the wet season water table and the filter shall be capped with a layer of
125 slightly limited soil no less than 6 nor more than 12 inches thick. The design engineer may choose to use 24 inches of
126 phosphorous adsorbing material in lieu of the 24-inch layer of filter material provided the effective size of the phosphorous
127 adsorbing material meets the particle size distribution required for unsaturated mineral aggregate filters.

128 b. The maximum sewage loading rate to an approved filter unit other than an unsaturated mineral aggregate filter as
129 described in this section shall be evaluated by the State Health Office based on unit design, size, filter media characteristics and
130 expected functional life of the unit.

131 c. Effluent having passed through an unsaturated mineral aggregate filter shall collect in an underdrain for discharge into
132 an injection well. The underdrain shall consist of minimum 4 inch diameter perforated drainpipe which is encased within a
133 minimum 8 inch depth of 1/2 to 2 inch diameter washed and durable mineral aggregate. The walls and bottom of the filter unit
134 shall be reinforced concrete or other material of adequate strength and durability to withstand hydrostatic and earth stresses to
135 which the unit will be subjected. The walls and bottom of the unit shall be made waterproof so that the total volume of effluent
136 passed through the mineral aggregate filter will be collected in the filter underdrain for discharge into the injection well.

137 6. Prior to discharge into an injection well, effluent from the filter unit shall be disinfected by chlorination or other
138 disinfection method approved by the State Health Office to meet the basic disinfection requirements of this rule. Where
139 chlorination is used, a free chlorine residual of 0.5 milligram per liter measured at the point of effluent discharge after a
140 minimum chlorine contact time of 15 minutes prior to discharge into the injection well, shall be maintained in the effluent at all
141 times. Disinfection shall occur in a treatment chamber dedicated to that purpose. Contact time shall be based on a peak hourly
142 flow of no less than 20% of the estimated daily sewage flow.

143 ~~5. Prior to discharge into an injection well, effluent shall be disinfected by chlorination or other disinfection method~~
144 ~~approved by the State Health Office. A minimum disinfection level equivalent to a free chlorine residual of 0.5 milligrams per~~
145 ~~liter measured at the point of effluent discharge after a minimum chlorine contact time of 15 minutes into the injection well,~~
146 ~~shall be maintained in the effluent at all times.~~

147 ~~7.6.~~ An injection well to receive an estimated daily domestic sewage flow not exceeding 2000 gallons per day shall meet
148 minimum construction criteria a., b. and c. of this sub-paragraph. The Monroe County Health Department shall be notified by
149 the well driller regarding the time when the well will be drilled so the ~~county health department~~Monroe County Health
150 Department can schedule observation of well construction. The ~~DOH-Monroe~~ County Health Department shall not approve an
151 injection well for use until the well driller has certified, in writing to the ~~DOH-Monroe~~ County Health Department, that the
152 well has been installed in compliance with the provisions of this sub-paragraph. The inspection fee for the construction of an
153 injection well shall be \$125.00.

154 a. An injection well as defined in subsection 64E-6.017~~(4)(3)~~, F.A.C., shall be constructed, in part, utilizing a casing of
155 polyvinyl chloride, commonly referred to as PVC. The minimum PVC casing weight and strength classification shall be
156 schedule 40 and the minimum outside diameter of the casing shall be 4 inches. Other casing materials having strength and
157 corrosion resistance properties equal to or greater than PVC schedule 40 pipe shall also be approved.

158 b. An open hole having a minimum diameter of 6 inches shall extend to a depth of not less than 30 feet below the bottom
159 of the casing.

160 c. The annular space between the casing and the natural rock wall of the borehole shall be grouted the full length of the
161 casing.

162 ~~8.7.~~ A minimum of one maintenance visit every four months shall be made to those systems using injection wells for
163 effluent disposal. The visit shall include an inspection of the chlorination unit and any filter units. When an aerobic treatment
164 unit is a component of the onsite sewage treatment and disposal system, documents and reports required in Rule 64E-6.012,
165 F.A.C., shall also include the results of aerobic treatment unit inspections and shall include information on chlorine residuals to
166 assess compliance with the disinfection requirements of this rule.

167 ~~9.8. Within 90 days following the discontinuation of the use of~~ If an injection well is discontinued for effluent disposal the,
168 the well owner shall obtain an abandonment permit, Form DH 4016, from the department. The injection well shall be properly
169 abandoned and plugged by filling the injection well from bottom to top with cement grout ~~or by filling the open hole from the~~
170 bottom of the hole to one foot below the bottom of the casing with gravel that meets the size requirements for drainfield
171 aggregate in paragraph 64E-6.014(5)(c), and filling the remainder of the injection well with cement grout. The Monroe County
172 Health Department shall be notified by the well driller, septic tank contractor, or state-licensed plumber at least two work days
173 prior to the time when the well will be abandoned so the Monroe County Health Department can schedule observation of the
174 entire well abandonment procedure. The Monroe County Health Department shall not approve an injection well abandonment
175 until the well driller, septic tank contractor, or state-licensed plumber has certified, in writing to the Monroe County Health
176 Department, that the well has been abandoned in compliance with the provisions of this sub-paragraph. If the abandonment of
177 the well is not ready to be inspected at the time of the inspection of the abandonment of the treatment receptacles, the
178 inspection fee for the abandonment of an injection well shall be \$75.00 and shall be paid to the department prior to the
179 inspection.

180 ~~(2) For an aerobic treatment unit treating domestic sewage flows in excess of 1500 gallons per day but not exceeding~~
181 ~~10,000 gallons per day, where effluent from the treatment unit will be discharged to an engineer designed soil absorption~~
182 ~~drainfield system, the following requirements shall be met:~~

183 (a) ~~The soil absorption drainfield system shall be set back from surface water bodies by the greatest distance attainable, but~~
184 ~~shall meet at least minimum setback and elevation requirements specified in subsection 64E-6.018(1), F.A.C.~~

185 (b) ~~The owner or lessee of a system shall comply with the general maintenance and operational requirements of~~
186 ~~subsections 64E-6.012(2) and (3), F.A.C., and any additional operation and maintenance requirements specified by the system~~
187 ~~design engineer.~~

188 (d) Nutrient-reducing materials have a finite life-span. Nutrient-reducing material shall be used in accordance with the
189 following requirements:

190 1. The installer shall provide documentation from the nutrient reducing material supplier or from an independent testing
191 organization that the material supplied meets the requirements of this section. The documentation shall include the capacity of
192 the material to adsorb nutrient stated in units of mass of nutrient adsorbed per mass of adsorbing material.

193 2. Where the nutrient-adsorbing material will be used to underlie a drainfield in accordance with paragraph 64E-
194 6.018(4)(a), the documentation from the nutrient-adsorbing material supplier or independent testing organization shall include
195 either the effective grain size in millimeters and the uniformity coefficient of the material or a sieve analysis of the material
196 showing the percentage passing a U.S. Standard Number 18 sieve and the percentage passing a number 60 sieve.

197 3. Where the design engineer has chosen to use 24 inches of phosphorous adsorbing material in lieu of the 24-inch layer of
198 filter material as allowed in 64E-6.018(4)(c)5.a., the documentation from the nutrient-adsorbing material supplier or
199 independent testing organization shall include either the effective size in millimeters and the uniformity coefficient of the
200 material or the Florida Department of Transportation aggregate classification number for the material.

201 4. The nutrient reducing material shall be replaced as necessary to ensure that the system continues to meet the minimum
202 level of waste treatment. The design engineer shall specify the capacity of the nutrient reducing material to adsorb nutrient
203 stated in units of mass of nutrient adsorbed per mass of adsorbing material at the design effluent nutrient concentration. The
204 design engineer shall provide an estimate of the life span for the system using the adsorption capacity and estimated sewage
205 flow. The minimum calculated life span shall be two years.

206 ~~(5)(3)~~ The owner or lessee of a performance-based treatment system shall obtain and maintain a maintenance contract with
207 an approved maintenance entity.

208 (a) All new onsite sewage treatment and disposal systems shall be inspected by an approved maintenance entity at least
209 two times each year.

210 (b) The maintenance entity shall furnish to the county health department a listing of all performance based treatment
211 systems inspected or serviced during the respective reporting period. As a minimum, reports shall indicate the system owner or
212 building lessee, the street address of the system, the date of system inspection or service and a statement as to the maintenance
213 or service performed. The maintenance entity shall also include a list of the owners who have refused to renew their
214 maintenance contract. A maintenance report shall be kept by the maintenance entity. A copy of all maintenance reports shall be
215 provided to the county health department. The report shall include the following information:

216 1. The address of the system.

217 2. Date and time of inspection.

218 3. Sample collection time and date, and person who collected sample.

219 4. Results of all sampling.

220 5. Volume of effluent treated, to include total monthly and daily average.

221 6. Maintenance performed.

222 7. Problems noted with the treatment system and actions taken or proposed to overcome them.

223 (6) The maintenance entity of a performance-based treatment system shall cause the system to be screening tested for
224 nitrogen and phosphorous at least once every year. The screening test shall be one of the tests approved by the Monroe County
225 Health Department. If the Monroe County Health Department is requested to conduct the screening test, an inspection fee of
226 \$75 shall be paid to the Monroe County Health Department prior to requesting the test. Upon the results of a screening test that
227 shows a violation for phosphorous or nitrogen, the owner shall have the system sampled and tested by a laboratory certified by
228 the Department. The Monroe County Health Department shall require the property owner or maintenance entity to have the
229 system sampled for nitrogen or phosphorous or both and to have the samples tested by a laboratory certified by the department
230 when there is reason to believe that the system is not meeting applicable performance standards.

231 (a) If any individual laboratory-certified test shows a total phosphorous concentration in excess of 4.0 mg/L, the system
232 may be resampled at the owner's discretion. If the system is not resampled within 30 days of the original sampling date or the
233 resample shows a phosphorous concentration in excess of 4.0 or shows less than a 50% reduction of phosphorous between the
234 influent and effluent samples, the phosphorous adsorbing material shall be replaced as a system repair or the the system shall
235 be re-engineered by an engineer registered in the State of Florida. The system shall be brought into compliance with treatment
236 standards required at the time of system permitting.

237 (b) If any individual laboratory certified test shows a total nitrogen concentration in excess of 40.0 mg/L, the system may
238 be resampled at the owner's discretion. If the system is not resampled within 30 days of the original sampling date or the
239 resample shows a nitrogen concentration in excess of 40.0 or shows less than a 50% reduction of nitrogen between the influent
240 and effluent samples, the system shall be re-engineered by an engineer registered in the State of Florida. The system shall be
241 brought into compliance with treatment standards required at the time of system permitting.

242 (7)(4) In conjunction with the systems specified in this section ~~subsections 64E-6.018(1) and (2), F.A.C.~~, an applicant
243 may use the alternative systems described in subsection 64E-6.009(1), (3), (4), (5) ~~or (6), or (7), F.A.C.~~ An alternative system
244 shall meet the general intent of Part I and Part II of this rule.

245 (8) Maintenance Entities are responsible for compliance with the standards of section 381.0065, F.S., and this chapter in
246 maintaining systems. The following actions shall be subject to the following penalties:

247 (a) Failure to perform required inspections and maintenance. First violation, Letter of Warning and fine up to \$500; repeat
248 violation, \$500 fine per violation and suspension or revocation of registration.

249 (b) Failure to perform required monitoring or sampling. First violation, Letter of Warning and fine up to \$500; repeat
250 violation, \$500 fine per violation and suspension or revocation of registration.

251 (9) In addition to the penalties of this chapter, complaints may be issued and disciplinary action may be taken under the
252 provisions of law and rule under which an evaluator is licensed or certified.

253
254 *Rulemaking Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), (4)(l) FS., Ch. 99-395, LOF. Law Implemented 381.0065,*
255 *381.00655 FS., Ch. 99-395, LOF. History—New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.063, Amended 3-3-98, 3-*
256 *22-00, 4-21-02, 11-26-06, ____.*

257 **64E-6.0181 System Repair ~~Cesspit and Undocumented System Replacement and Interim System Use.~~**

258 (1) Where a property is determined to have a cesspit or an undocumented system, the cesspit or undocumented system
259 shall be required to be replaced with an onsite sewage treatment and disposal system complying with Rule 64E-6.018, F.A.C.;

260 ~~except as provided for in subsection (2).~~

261 (2) In areas that are scheduled to be served by a central sewer by December 31, 2015, where there is documentation from

262 the sewer utility that the property is scheduled to be served by December 31, 2015 and there is documentation from the sewer
263 utility or from the county tax collector's office that the property owner has paid or has signed an agreement to pay for
264 connection to the central sewer system, an onsite sewage treatment and disposal system requiring repair shall be repaired to the
265 standards in this section. ~~sewage facility before July 1, 2010, interim construction standards specified in subsection 64E-~~
266 ~~6.0181(3), F.A.C., for new, modified, expanded or existing onsite sewage treatment and disposal systems or to replace cesspits~~
267 ~~or undocumented systems shall be allowed.~~

268 (a) ~~Interim system requirements shall be allowed through July 1, 2004, for onsite sewage treatment and disposal systems in~~
269 ~~areas that are scheduled to be served, according to an adopted local comprehensive plan determined to be in compliance by the~~
270 ~~Department of Community Affairs, by a central sewage facility before July 1, 2010.~~

271 (b) ~~After July 1, 2004, interim system requirements shall be allowed in an area scheduled to be served by a central sewage~~
272 ~~facility only when all of the following conditions are met:~~

- 273 ~~1. An enforceable contract to provide the central sewage and collection system has been signed;~~
- 274 ~~2. The contract contains a binding schedule for connection of the onsite sewage treatment and disposal systems to the~~
275 ~~central sewage facility; and~~
- 276 ~~3. There is an enforceable requirement for abandonment of the onsite sewage treatment and disposal systems.~~

277 (c) ~~Onsite sewage treatment and disposal systems that are not scheduled to be served in accordance with this section shall~~
278 ~~provide the level of treatment required in Rule 64E-6.018, F.A.C.~~

279 (d) ~~All onsite sewage treatment and disposal systems in operation on July 1, 2010, shall provide the level of treatment~~
280 ~~required in Rule 64E-6.018, F.A.C.~~

281 ~~(3) Interim systems standards shall be:~~

282 (a) No system shall be repaired to meet a lower standard of treatment than the treatment standard permitted or required to
283 be met prior to the repair.

284 (b) The following general requirements apply for the use of a septic tank and sand-lined drainfield system:

285 1. A tank need not be replaced as part of the repair if the health unit determines the tank to be free of observable defects,
286 constructed of approved materials, and if such tank has an effective capacity within two tank sizes of the capacities required by
287 Table II. In addition, the tank shall be pumped and a solids deflection device shall be installed as a part of the outlet of the tank
288 if one is not currently in place. If the tank needs to be replaced as part of the repair, it shall be replaced with a tank meeting the
289 requirements of Table II and 64E-6.013, FAC.

290 2. Effluent from the septic tank shall discharge to a drainfield over a sand liner meeting the standards in subparagraph 64E-
291 6.018(4)(b)1.

292 3. No part of a septic tank and sand-lined drainfield system shall be located within 50 feet of the mean high water line of
293 tidally influenced surface water bodies or within 50 feet of the mean annual flood line of permanent nontidal surface water
294 bodies.

295 4. The drainfield component of the system must be located a minimum distance of 50 feet from salt marsh and
296 Buttonwood Association habitat areas where the dominant vegetation species are those typical of salt marsh communities.

297 5. The bottom of the drainfield shall be at least 30 inches above the wet season water table. At least 12 inches of the sand
298 layer shall be at least 18 inches above the wet season water table.

299 (c) The following general requirements apply for the use of an aerobic treatment unit and a sand-lined drainfield system:

300 1. The A Class I aerobic treatment unit shall meet the ~~which meets the location, construction, maintenance and operational~~
301 ~~requirements of subparagraph 64E-6.0181(3)(a)1. or 2., F.A.C., and the certification, construction, operational and~~

302 maintenance requirements of Rule 64E-6.012, F.A.C.

303 ~~1. Where a Class I aerobic treatment unit is utilized, and where final effluent disposal is into a sand-lined drainfield system,~~
304 ~~the following general requirements shall apply:~~

305 2. Effluent from the aerobic treatment unit shall discharge to a drainfield over a sand liner meeting the standards in
306 subparagraph 64E-6.018(4)(b)1.

307 ~~a. For a sand-lined drainfield, a minimum 12-inch thick layer of quartz sand shall be placed beneath the bottom of the~~
308 ~~drainfield absorption surface and a minimum 12-inch wide and minimum 24-inch thick layer of quartz sand shall be placed~~
309 ~~contiguous to the drainfield sidewall absorption surfaces in order to provide an additional level of effluent treatment prior to~~
310 ~~effluent passing into the surrounding natural limestone rock. Sand material shall have either an effective grain size in the range~~
311 ~~of 0.25 millimeter to 1.00 millimeter and shall have a uniformity coefficient of less than 3.5, or the material shall be of such~~
312 ~~size whereby at least 90 percent of the sand particles pass a U.S. Standard Number 18 sieve and less than 10 percent pass a~~
313 ~~number 60 sieve. These materials are in the USDA soil texture classes known as medium sand and coarse sand. The county~~
314 ~~health department shall require the installer of a sand-lined drainfield system to provide certification from the installer's sand~~
315 ~~supplier that the sand supplied for such type of installation meets the requirements of this subsection.~~

316 3.b. No part of the system shall be within 25 feet of the mean high water line of tidally influenced surface water bodies or
317 within 25 feet of the mean annual flood line ordinary high water line of permanent nontidal surface water bodies lakes, ponds
318 ~~or other non-tidal surface waters~~ or salt marsh and Buttonwood Association habitat areas where the dominant vegetation
319 species are those typical of salt marsh communities.

320 4.e. The bottom surface of the sand layer shall be at least 12 inches above mean high water the wet season water table.

321 ~~d. The maximum sewage loading rate to an aerobic treatment unit absorption bed drainfield with underlying sand liner~~
322 ~~shall be 1.1 gallons per square foot per day.~~

323 5.e. Appropriate shallow root vegetative cover shall be established over drainfield systems to maximize the beneficial
324 effects of evapotranspiration.

325 (d) The following general requirements apply for the use of an aerobic treatment unit and an injection well as defined in
326 64E-6.017, F.A.C.

327 1. The Class I aerobic treatment unit shall meet the certification, construction, operational and maintenance requirements
328 of Rule 64E-6.012, F.A.C.

329 2. Effluent from the aerobic treatment unit shall discharge to a filter, disinfection chamber and injection well located,
330 designed, installed, operated and maintained in accordance with paragraph 64E-6.018(4)(c).

331 ~~2. Provided a Class I aerobic treatment unit is utilized and provided effluent from the treatment unit, prior to discharge into~~
332 ~~an injection well, is passed through a mineral aggregate filter unit as described in subparagraph 64E-6.018(3)(a)2., F.A.C., or~~
333 ~~where effluent is passed through a filter unit of another design which has been determined by the State Health Office to be at~~
334 ~~least equal to the mineral aggregate filter unit with regard to sewage treatment capability, an injection well shall be approved in~~
335 ~~compliance with the following:~~

336 ~~a. An injection well shall not be permitted or installed under the provisions of this part in any area designated by the~~
337 ~~United States Environmental Protection Agency or the Florida Department of Environmental Protection as having a single or~~
338 ~~sole source aquifer. Single source aquifer is defined in subsection 62-520.200(14), F.A.C.~~

339 ~~b. In areas where injection wells are approved for use, the DOH Monroe County Health Department shall be the permitting~~
340 ~~agent for the aerobic treatment unit, the filter unit and the injection well, where the estimated daily domestic sewage flow will~~
341 ~~not exceed 2000 gallons per day. For establishments having a total daily sewage flow greater than 2000 gallons per day but not~~

342 greater than 10,000 gallons per day, the Monroe County Health Department shall be the permitting authority for the aerobic
343 treatment unit and the filter unit and DEP is the permitting agent for the injection well and any additional associated effluent
344 treatment device. The effluent from the treatment unit permitted by the DOH Monroe County Health Department shall not
345 exceed 20 mg/l CBOD₅ or 20 mg/l suspended solids on a permitted annual average basis and shall have disinfection in
346 accordance with sub-subparagraph 64E-6.0181(3)(a)2.h., F.A.C., prior to discharge into any injection well.

347 e. The interior of the aerobic treatment unit, the top surface of the mineral aggregate filter soil cover, and the ground
348 surface within a distance of at least 10 feet in all directions around the injection well, filter unit and aerobic treatment unit shall
349 not be subject to surface or ground water flooding. In addition, the invert of the effluent inlet pipe to the injection well shall be
350 a minimum 18 inches above the estimated seasonal high water level.

351 d. If there is adequate vertical and horizontal clearance to allow for proper maintenance, repair or replacement of the
352 aerobic treatment unit, filter unit and injection well, such components of the onsite sewage treatment and disposal system shall
353 be allowed to be placed beneath an elevated building.

354 e. If a mineral aggregate filter as referred to in subparagraph 64E-6.0181(3)(a)2., F.A.C., is utilized, effluent discharge
355 from the aerobic unit shall be by gravity or pressure distribution to a perforated pipe distribution system as specified in Part I,
356 Rule 64E-6.014, F.A.C. Such distribution system shall be placed within the walls of the mineral aggregate filter and shall be
357 placed above a mineral aggregate filter layer which shall be at least 24 inches thick. Mineral aggregate filter material shall have
358 either an effective size in the range of 2.36 millimeters to 4.75 millimeters and shall have a uniformity coefficient of less than
359 3.5 or the material shall be equivalent in size to Florida Department of Transportation aggregate classification number eight or
360 nine. The system designer may specify additional layers of filter material above or below the required 24 inch layer of filter
361 material. The DOH Monroe County Health Department shall require the installer of mineral aggregate filter systems to provide
362 certification from the installer's mineral aggregate supplier that the aggregate supplied meets requirements of this sub-
363 paragraph. If the filter is not sealed with a lid meeting the requirements of paragraph 64E-6.013(1)(e), F.A.C., the filter shall be
364 capped with a layer of slightly limited soil no less than 6 nor more than 12 inches thick.

365 f. The maximum sewage loading rate to the mineral aggregate filter shall be 5.5 gallons per square foot per day based upon
366 the top surface area of the filter layer. The maximum sewage loading rate to an approved filter unit other than a mineral
367 aggregate filter as described in this section shall be evaluated by the State Health Office based on unit design, size, filter media
368 characteristics and expected functional life of the unit.

369 g. Effluent having passed through a mineral aggregate filter shall collect in an underdrain for gravity or mechanical
370 discharge into an injection well. The underdrain shall consist of minimum 4 inch diameter perforated drainpipe which is
371 encased within a minimum 8 inch depth of 1/2 to 2 inch diameter washed and durable aggregate. The walls and bottom of the
372 filter unit shall be reinforced concrete or other material of adequate strength and durability to withstand hydrostatic and earth
373 stresses to which the unit will be subjected. The walls and bottom of the unit shall be made waterproof so that the total volume
374 of effluent passed through the mineral aggregate filter will be collected in the filter underdrain for discharge into the injection
375 well.

376 h. Prior to discharge into an injection well, effluent from the filter unit shall be disinfected by chlorination or other
377 disinfection method approved by the State Health Office. A minimum disinfection level equivalent to a free chlorine residual
378 of 0.5 milligram per liter measured at the point of effluent discharge after a minimum chlorine contact time of 15 minutes into
379 the injection well, shall be maintained in the effluent at all times.

380 i. An injection well to receive an estimated daily domestic sewage flow not exceeding 2000 gallons per day shall meet
381 minimum construction criteria (I), (II) and (III) of this sub-paragraph. The DOH Monroe County Health Department shall not

382 approve an injection well for use until the well driller has certified, in writing to the DOH Monroe County Health Department,
383 that the well has been installed in compliance with the provisions of this sub paragraph. The inspection fee for the construction
384 of an injection well shall be \$125.00.

385 ~~(I) An injection well as defined in subsection 64E-6.017(3), F.A.C., shall be constructed, in part, utilizing a casing of~~
386 ~~polyvinyl chloride, commonly referred to as PVC. The minimum PVC casing weight and strength classification shall be~~
387 ~~schedule 40 and the minimum outside diameter of the casing shall be 4 inches. Other casing materials having strength and~~
388 ~~corrosion resistance properties equal to or greater than PVC schedule 40 pipe shall also be approved.~~

389 ~~(II) An open hole having a minimum diameter of 6 inches shall extend to a depth of not less than 30 feet below the bottom~~
390 ~~of the casing.~~

391 ~~(III) The annular space between the casing and the natural rock wall of the borehole shall be grouted the full length of the~~
392 ~~casing.~~

393 ~~j. A minimum of one maintenance visit every four months shall be made to those systems using injection wells for effluent~~
394 ~~disposal. In addition to the standard aerobic treatment unit maintenance visit, the visit shall include an inspection of the~~
395 ~~chlorination and filter units. Documents and reports required in Rule 64E-6.012, F.A.C., shall also include the results of these~~
396 ~~inspections and shall include information on chlorine residuals to assess compliance with the disinfection requirements of this~~
397 ~~rule.~~

398 ~~k. If an injection well is discontinued for effluent disposal use such injection well shall be properly abandoned and~~
399 ~~plugged by filling the injection well from bottom to top with cement grout.~~

400 ~~(b) A performance based treatment system designed and certified by a professional engineer, licensed in the state, as~~
401 ~~producing an effluent meeting at a minimum the treatment standards for a system designed in accordance with paragraph 64E-~~
402 ~~6.0181(3)(a), F.A.C., and permitted, constructed and monitored in accordance with Part IV.~~

403 *Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a), ~~(4)(l)~~ FS. , Ch. 99-395, LOF. Law Implemented 381.0065, 381.00655*
404 *FS. , Chs. 99-395, 2001-337, LOF. History–New 3-3-98, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06,_____.*

405 **64E-6.0182 Coordinated Permitting.**

406 Chapter 28-20, F.A.C., and the Memorandum Of Understanding (MOU) between Monroe County, the Department of
407 Community Affairs, the Department of Environmental Protection, and the Department of Health, including the Monroe County
408 Health Department, dated July 25, 1997, are herein incorporated by reference, and is available by contacting the department.
409 Chapter 28-20, F.A.C., and the MOU establish a permit allocation system for development and a coordinated permit review
410 process. Chapter 28-20, F.A.C., and the MOU prohibit new system construction permits to serve new residential development
411 that would allow development in excess of the number of permits that Monroe County may issue under its policy.

412 *Rulemaking Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), (4)~~(l)~~(k) FS., Ch. 99-395, LOF. Law Implemented 154.01,*
413 *381.0011(4), 381.006(7), 381.0065, 381.00655, 386.01, 386.03, 386.041 FS., Ch. 99-395, LOF. History–New 3-3-98, Amended*
414 *3-22-00.*

Issue Number: 10-06
Subject: Existing Systems
Date New: 1/15/2009
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP: 7/15/2010
Date Initially Approved by TRAP: 9/23/2010
Date Heard by Variance Committee: 10/7/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **Extensive revision of 64E-6.001. Strike all existing language and insert the following:**

2 **64E-6.001 General**

3 (1) This chapter applies statewide except where specific law or parts of this chapter provide an
4 exception. This chapter must be used with Chapter 381, Chapter 386, and part III of Chapter 489, F.S.

5 (2) Structures for human occupancy, employment or service to the public and locations where people
6 congregate, such as construction sites, fairs, and field locations for agricultural workers, shall provide
7 approved wastewater treatment and disposal systems. Except for the provisions of Rule 64E-6.0101,
8 permanent structures shall not rely upon the use of holding tanks and portable toilets for wastewater
9 treatment and disposal.

10 (3) Any change to the conditions under which the system was permitted and approved and placed into
11 use requires the owner to apply for re-approval of the system by the DOH county health department. It is
12 the applicant's responsibility to provide documentation of any prior department approval. An applicant
13 must complete Form DH 4015, 08/09, Onsite Sewage Treatment and Disposal System Application for
14 Construction Permit, herein incorporated by reference, and provide a site plan in accordance with
15 paragraph 64E-6.004(3)(a), F.A.C.

16 (a) An existing system evaluation and site evaluation is required. All system tanks must be pumped by
17 a permitted septage disposal service and certified by a state licensed septic tank contractor, a professional
18 engineer, or a certified environmental health professional. A pump out is not required if a system has been
19 pumped out in the previous five years and the pump out documentation provides tank capacity and
20 condition. To be certified, tanks must be watertight, constructed of approved material, free of visible
21 defects that impact the operation of the system, have lids and manholes that properly seal, and have an
22 approved outlet device or filter. [Single-compartment septic tanks installed on or after March 1, 1995, and
23 all septic tanks installed on or after November 19, 1997, must have a department-approved outlet filter
24 installed in or following the last septic tank or chamber.](#)

25 (b) In reviewing applications, consideration shall be given to both the permitted capacity and the
26 current capacity of the existing system per the system size determinations of Rules 64E-6.008 and .009.

27 (c) Non-load bearing structures, such as a concrete patio floor, are allowed to cover the septic tank,
28 provided that access to the tank is provided. The structure above the tank shall have a minimum opening of
29 225 square inches at each end of the tank for access. A barrier of soil or plastic shall be used between the
30 tank and non-load bearing structure.

31 (d) A residence or establishment that currently exceeds lot flow allowances shall not be allowed to
32 increase sewage flow.

33 (e) Installation date shall be based on the most recent final approval of a new system or system
34 modification. If a Department record is not available the installation date shall be based on property
35 appraiser or building department records.

36 (f) Drainfields installed prior to January 1, 1983, shall meet a minimum 6-inch separation from the
37 wettest season water table elevation. Drainfields installed on or after January 1, 1983, shall meet a
38 minimum 12-inch separation from the wettest season water table.

39 (4) If the existing system cannot be approved for the proposed use, the owner shall obtain a
40 construction permit for modification of the system from the county health department in accordance with
41 Rule 64E-6.004, F.A.C. The following standards shall apply:

42 (a) Drainfields installed prior to January 1, 1983, shall meet a minimum 12-inch separation from the
43 wettest season water table elevation. Drainfields installed on or after January 1, 1983, shall meet a
44 minimum 24-inch separation from the wettest season water table.

45 (b) For residences that add sewage flow, the drainfield must meet current rule size requirements for the
46 proposed estimated sewage.

47 (c) For commercial or institutional establishments:

48 1. A system out of service for more than one year shall be brought into compliance with new system
49 standards.

50 2. A system shall require modification if the domestic sewage flow increase is more than 20% of
51 current system capacity or requires more than one tank size adjustment.

52 3. An increase in commercial sewage flow shall require compliance with new system standards.

53 (d) Existing tanks must be within one size of the requirements of Table II.

54 (e) The installation of a laundry system, a gray water system, a grease interceptor, or additional
55 drainfield as a precautionary measure is considered a modification to the system.

56 (5) If an owner requests an evaluation of a system that is not required by law or rule, the department
57 Procedure for Voluntary Assessment of Existing Systems, May, 2000, herein incorporated by reference, is
58 required. The assessment does not guarantee system performance. Nothing in this section shall be
59 construed to limit the amount of detail an evaluator may provide. Persons allowed to perform work under
60 this section shall be state licensed septic tank contractors, state-licensed plumbers, professional engineers,
61 and persons certified under section 381.0101, F.S. Department employees are excluded from performing
62 these evaluations. Aerobic treatment units and performance-based treatment systems shall be evaluated by
63 an approved maintenance entity. Nothing in this section restricts the person having ownership, control, or
64 use of an onsite sewage treatment and disposal system from requesting a partial assessment. The evaluator
65 shall provide the person requesting the assessment a copy of the department Procedure for Voluntary
66 Assessment of Existing Systems and written notice of their right to request an assessment based on part or
67 all of the standards.

68 (6) The department may impose a fine by an administrative complaint or citation for any violation of
69 381.0065, 381.0067, chapter 386, part III of chapter 489, or 64E-6. Citations issued by the department
70 shall be on Form DH 3146, 11/02, Citation for Violation, Onsite Sewage Programs/Sanitary Nuisance,
71 hereby incorporated by reference.

72 (7) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at
73 www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

74 *Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067,*
75 *386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.41, Amended 3-17-92, 1-*
76 *3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 5-24-04, 11-26-*
77 *06, 6-25-09, 4-28-10, [_____](#).*

78
79

Issue Number: 10-07
Subject: Soil abbreviations
Date New: 9/9/2009
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation: no action (technical)
Ready for Inclusion in Rule: YES

1 | **64E-6.016 U.S. Department of Agriculture Soil Textural Classification System.**

2 | (1) Soil texture is a term commonly used to designate the proportionate distribution of different sized mineral particles in a
3 | soil material. The three basic sizes of soil mineral particles are the sand size, the silt size and the clay size. The sand size class
4 | is subdivided further into the subclasses of very coarse sand, coarse sand, medium sand, fine sand, and very fine sand.
5 | Individual particles, based on their size, are grouped into separates. These soil separates are classified by size into the
6 | groupings shown below:
7 |

Separate	Diameter Limit In Millimeters
Very coarse sand	2.00-1.00
Coarse sand	1.00-.50
Medium sand	.50 -.25
Fine sand	.25-.10
Very fine sand	.10-.05
Silt	.05-.002
Clay	less than .002

8 |
9 | (2) Florida's major soil texture classifications and some of the characteristics which can be utilized in the field for
10 | identification of these soil texture groups is accomplished primarily by rubbing moist samples of soil material between the
11 | fingers and observing how the material feels.

12 | (a) Sand (S) – Sand feels extremely gritty and does not form a ribbon or ball when wet or moist. A sand is loose and single
13 | grained. The individual grains can readily be seen or felt.

14 | (b) Loamy sand (LS) – Loamy sand feels extremely gritty and forms a weak ball that cannot be handled without breaking.

15 | (c) Sandy loam (SL) – A sandy loam feels extremely gritty and slightly sticky. When moist, it forms a cast that will bear
16 | careful handling without breaking.

17 | (d) Loam (L) – A loam feels somewhat gritty, yet fairly smooth and slightly plastic. When moist, it forms a cast that may
18 | be handled quite freely without breaking. Loam forms only short ribbons about 0.25 inch to 0.50 inches in length. This soil
19 | texture is not common in Florida soils.

20 | (e) Silt loam (SIL) – Silt loam lacks grittiness and feels extremely floury when moist or dry. When dry it may appear
21 | cloddy but the lumps can be readily broken. When moist it will form casts that can be freely handled without breaking. It will
22 | not form a ribbon but will give a broken appearance. This soil texture is not common in Florida soils.

23 | (f) Silt (SI) – Silt lacks grittiness and feels extremely floury when moist or dry. It will not ribbon and forms a weak ball
24 | that will tolerate careful handling without breaking. This soil texture is extremely rare in Florida soils.

25 | (g) Sandy clay loam (SCL) – Sandy clay loam feels very gritty and sticky. When moist it forms a firm ball and may form a
26 | ribbon of one to two inches before it breaks.

27 | (h) Clay loam (CL) – A clay loam feels very sticky with little or no grittiness. When moist it will form a ribbon that is
28 | about one to two inches long. The moist soil is plastic and will form a cast or ball that will bear much handling. When kneaded
29 | in the hand it does not crumble readily but tends to work into a heavy compact mass.

30 | (i) Sandy clay (SC) – Sandy clay feels extremely sticky and very gritty. When moist and forms a firm ball and produces a
31 | ribbon that is over two inches in length before breaking.

32 | (j) Silty clay (SIC) – Silty clay feels both plastic and extremely sticky when moist and lacks any gritty feeling. It forms a
33 | firm ball and readily ribbons to over two inches in length before it breaks. This soil texture is not common in Florida soils.

34 | (k) Clay (C) – A clay feels extremely sticky and is neither gritty nor floury. When moist it forms a ribbon over two inches
35 | in length before breaking. It will form a hard ball or cast which will not break when handled.

36 | (l) Organic soils – Muck, peat, and mucky peat are used in place of textural class names in organic soils. Muck is well
37 | decomposed organic soil material; peat consists of raw undecomposed organic soil material; and mucky peat designates
38 | materials intermediate in decomposition between muck and peat.

39 | (3) Definitions of the soil texture classes according to distribution of size classes of mineral particles less than 2
40 | millimeters in diameter are as follows:

41 | (a) Sands – 85 percent or more sand and the percentage of silt plus 1 1/2 times the percentage of clay is 15 or less.

42 | 1. Coarse sand (COS) – 25 percent or more very coarse and coarse sand and less than 50 percent any other single grade of
43 | sand.

44 | 2. Sand (S) – 25 percent or more very coarse, coarse and medium sand, but less than 25 percent very coarse and coarse
45 | sand, and less than 50 percent either fine sand or very fine sand.

46 | 3. Fine sand (FS) – 50 percent or more fine sand; or less than 25 percent very coarse, coarse, and medium sand and less
47 | than 50 percent very fine sand.

48 | 4. Very fine sand (VFS) – 50 percent or more very fine sand.

49 | (b) Loamy sands – At the upper limit 85 to 90 percent sand and the percentage of silt plus 1 1/2 times the percentage of
50 | clay is 15 or more; at the lower limit 70 to 85 percent sand and the percentage of silt plus twice the percentage of clay is 30 or
51 | less.

- 52 | 1. Loamy coarse sand (LCOS) – 25 percent or more very coarse and coarse sand and less than 50 percent any other single
53 | grade of sand.
- 54 | 2. Loamy sand (LS) – 25 percent or more very coarse, coarse, and medium sand and less than 50 percent either fine sand
55 | or very fine sand.
- 56 | 3. Loamy fine sand (LFS) – 50 percent or more fine sand; or less than 50 percent very fine sand and less than 25 percent
57 | very coarse, coarse, and medium sand.
- 58 | 4. Loamy very fine sand (LVFS) – 50 percent or more very fine sand.
- 59 | (c) Sandy loams – 20 percent or less clay and 52 percent or more sand and the percentage of silt plus twice the percentage
60 | of clay exceeds 30; or less than 7 percent clay, less than 50 percent silt, and between 43 and 52 percent sand.
- 61 | 1. Coarse sandy loam (COSL) – 25 percent or more very coarse and coarse sand and less than 50 percent any other single
62 | grade of sand.
- 63 | 2. Sandy loam (SL) – 30 percent or more very coarse, coarse, and medium sand, but less than 25 percent very coarse and
64 | coarse sand, and less than 30 percent either fine sand or very fine sand.
- 65 | 3. Fine sandy loam (FSL) – 30 percent or more fine sand and less than 30 percent very fine sand; or between 15 and 30
66 | percent very coarse, coarse, and medium sand; or more than 40 percent fine and very fine sand, at least half of which is fine
67 | sand, and less than 15 percent very coarse, coarse, and medium sand.
- 68 | 4. Very fine sandy loam (VFSL) – 30 percent or more very fine sand; or more than 40 percent fine and very fine sand, at
69 | least half of which is very fine sand, and less than 15 percent very coarse, coarse, and medium sand.
- 70 | (d) Loam (L) – 7 to 27 percent clay, 28 to 50 percent silt, and less than 52 percent sand.
- 71 | (e) Silt loam (SIL) – 50 percent or more silt and 12 to 27 percent clay; or 50 to 80 percent silt and less than 12 percent
72 | clay.
- 73 | (f) Silt (SI) – 80 percent or more silt and less than 12 percent clay.
- 74 | (g) Sandy clay loam (SCL) – 20 to 35 percent clay, less than 28 percent silt, and 45 percent or more sand.
- 75 | (h) Clay loam (CL) – 27 to 40 percent clay and 20 to 45 percent sand.
- 76 | (i) Silty clay loam (SICL) – 27 to 40 percent clay and less than 20 percent sand.
- 77 | (j) Sandy clay (SC) – 35 percent or more clay and 45 percent or more sand.
- 78 | (k) Silty clay (SIC) – 40 percent or more clay and 40 percent or more silt.
- 79 | (l) Clay (C) – 40 percent or more clay, less than 45 percent sand, and less than 40 percent silt.

80 | *Rulemaking Authority 381.0011(4),(13), 381.0065(3)(a) FS. Law Implemented 381.0065, 381,00655 FS. History–New 12-22-*
81 | *82, Amended 2-5-85, Formerly 10D-6.58, Amended 3-17-92, 1-3-95, Formerly 10D-6.058.*

Issue Number: 10-08
Subject: ATU Inspection interval
Date New: 9/2/2009
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

7/1/10 Gerald is concerned proposed language doesn't keep them from clumping inspections together. Remove from
7/15/10 agenda

64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units.

When aerobic treatment units are used for treating domestic and commercial sewage waste, each unit shall be installed, operated and maintained in conformance with the following provisions:

(1) No change

(2) The following additional requirements shall also apply to the construction, design, and operation of aerobic treatment units treating 1500 gallons per day or less:

(a) through (l) No change

(m) A copy of the signed maintenance agreement between the property owner or property lessee and an approved maintenance entity shall be provided to the DOH county health department by the maintenance entity. The maintenance agreement shall:

1. through 3. No change

4. Provide that each aerobic unit is inspected by an approved maintenance entity at least two times each year [with a period of no more than 210 days between inspections](#). Aerobic treatment units serving commercial establishments shall be inspected four times per year [with a period of no more than 120 days between inspections](#). The maintenance entity shall furnish to the DOH county health department a listing of all aerobic units inspected or serviced during the respective reporting period. As a minimum, reports shall indicate the system owner or building lessee, the street address of the system, the date of system inspection or service and a statement as to the maintenance or service performed. The maintenance entity shall also include a list of the owners who have refused to renew their maintenance agreement.

(n) No change

(3) through (5) No change

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, Part I 386 FS. History—New 3-17-92, Amended 1-3-95, Formerly 10D-6.0541, Amended 11-19-97, 4-21-02, 6-18-03, 5-24-04, 11-26-06, 6-25-09.

Issue Number: 10-09
Subject: LTAR and Alternative Drainfield Geometry for PBTS
Date New: 8/31/2009
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 12/2/2010
Date Heard by Variance Committee: 7/7/2011
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.028 Location and Installation.

Performance-based treatment systems shall be installed in compliance with the following.

(1) through (2) No change

~~(3) Drainfield designs: The following alterations to drainfield requirements shall be allowed for pressure dosed systems only:~~

~~(a) Long Term Acceptance Rate, also known as LTAR—LTAR's for sidewall infiltrative surfaces shall not exceed 1.25 times the bottom infiltrative surface LTAR for the same soil classification. Where the soil classification varies within the drainfield soil profile, the sidewall LTAR shall be adjusted accordingly. Sidewall infiltrative surfaces may be utilized only when a system is dosed a maximum of two times per day and the trench width is no greater than 18 inches.~~

~~(b) For septic tank effluent, maximum LTAR values shall not exceed the equivalent to the baseline standard for the soil classification in question. (see Table IX)~~

~~TABLE IX~~

~~Bottom/Sidewall Infiltrative Surface Maximum Equivalent LTAR's~~

Side LTAR: Bottom LTAR ratio =	1.25	1.25	1.25	1.25
Current trench bottom LTAR (gal/sq. ft/day) =	1.20	0.90	0.65	0.35
Trench width (inches) =	36.00	36.00	36.00	36.00
Effective sidewall height (inches) =	8.00	8.00	8.00	8.00
Total sidewall height (inches) =	12.00	12.00	12.00	12.00
Revised bottom LTAR (gal/sq. ft/day) =	0.77	0.58	0.42	0.23
New sidewall LTAR (gal/sq. ft/day) =	0.96	0.72	0.52	0.28

~~Footnotes to Table IX:~~

~~Footnote 1. Designs that utilize onsite open trench horizontal and vertical hydraulic conductivity testing to adjust the bottom and sidewall LTAR's shall be acceptable. The LTAR can be modified; however, the side LTAR: bottom LTAR ratio cannot exceed 1.25 for like soils.~~

~~Footnote 2. Designs that utilize established modeling techniques to determine the maximum effective capacity (design daily flow) of a designed drainfield system shall be acceptable.~~

~~Footnote 3. The horizontal and vertical projections of inclined surfaces cannot be considered for both sidewall and bottom credit in the same cross section. The designer must select one or the other.~~

~~Footnote 4. The current trench bottom LTAR's are from Part I, Table III, and are referred to as maximum sewage loading rates in Table III.~~

~~Footnote 5. Absorption beds shall be allowed providing the LTAR's are adjusted accordingly.~~

~~(e) through (e) No change~~

(4) through (5) numbered as (3) through (4) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065, 386.041 FS. History—New 2-3-98, Amended 3-22-00, 6-25-09.

Issue Number: 10-10
Subject: Site Plans, Mounds
Date New: 1/28/2010
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 7/15/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.004 Application for System Construction Permit.

(1) through (2) No change

(3) through (3)(a)3. No change

4. If an individual lot is larger than one acre ~~five acres or greater~~, the applicant may draw a ~~minimum~~ one acre or larger detail parcel to scale showing all required features. If the required features are within 75 feet of the one acre or larger detail parcel, the distance to the feature must be shown but need not be drawn to scale. The location of any public drinking water well, as defined in paragraph 64E-6.002(44)(b), F.A.C., within 200 feet of the one acre or larger detail parcel shall also be shown, with the measured distance indicated from the system to the well., or the minimum size drawing necessary to properly exhibit all required features, whichever is larger. The one acre or larger detail parcel must be large enough to accommodate a daily sewage flow allowance equal to the cumulative capacity of all systems within the parcel. The applicant must also show the location of that one acre or larger detail parcel inside the total site ownership.

5. No change

(b) through (f) No change

(4) through (9) No change

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 489.553 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044, Amended 11-19-97, 3-22-00, 11-26-06, 6-25-09.

64E-6.005 Location and Installation.

All systems shall be located and installed so that with proper maintenance the systems function in a sanitary manner, do not create sanitary nuisances or health hazards and do not endanger the safety of any domestic water supply, groundwater or surface water. Sewage waste and effluent from onsite sewage treatment and disposal systems shall not be discharged onto the ground surface or directly or indirectly discharged into ditches, drainage structures, groundwaters, surface waters, or aquifers. To prevent such discharge or health hazards:

(1) Systems and septage stabilization facilities established after the effective date of the rule shall be placed no closer than the minimum distances indicated for the following:

(a) through (e) No change

(f) Fifteen feet from the design high-water line of retention areas, detention areas, or swales designed to contain standing or flowing water for less than 72 hours after a rainfall or the design high-water level of normally dry drainage ditches or normally dry individual-lot stormwater retention areas. Excluded from this setback requirement are swales designed only to divert the runoff from drainfield mounds or fill systems.

(2) through (9) No change

Rulemaking Authority 381.0065(3)(a), 489.553, 489.557(1) FS. Law Implemented 381.0065, 489.553 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.46, Amended 3-17-92, 1-3-95, Formerly 10D-6.046, Amended 11-19-97, 2-3-98, 3-22-00, 5-24-04, 6-25-09.

64E-6.008 System Size Determinations.

(1) through (4) No change

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

Table III No change

Footnotes to Table III:

1. through 4. No change

5. Where more than one soil texture classification is encountered within a soil profile and it is not removed as part of a replacement, drainfield sizing for standard subsurface drainfield systems and fill drainfield systems shall be based on the most restrictive soil texture in contact with the sidewalls or bottom of the drainfield or encountered within 24 inches of the bottom of the drainfield absorption surface.

(6) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09.

64E-6.009 Alternative Systems.

(1) through (2) No change

(3) Mound systems – are used to overcome certain limiting site conditions such as an elevated seasonal high water table, shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock.

Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4), F.A.C., be specified on the construction permit in addition to the following general requirements.

(a) through (c) No change

(d) Where the soil material underlying a mound system is of a similar textural material as that used in system construction, the mound drainfield size shall be based on estimated sewage flows as specified in Rule 64E-6.008, F.A.C., Table I and upon the quality of fill material utilized in the mound system. When estimated sewage flows are calculated to be less than 200 gallons per day, specifications for system design shall be based on a minimum flow of 200 gallons per day. Maximum sewage loading rates for soils used in mound construction shall be in compliance with the following:

Fill Material	Maximum Sewage Loading Rate to Mound Drain Trench Bottom Surface in gallons Per square foot per day	Maximum Sewage Loading Rate to Mound Absorption Bed Bottom Surface in gallons per square foot per day
Sand; Coarse Sand; and Loamy Coarse Sand; <u>and Fine Sand</u>	0.80	0.60
Fine Sand	0.80	0.60
Sandy Loam; Coarse Sandy Loam; and Loamy Sand	0.65	0.40
Fine Sandy Loam; Very Fine Sand; Loamy Fine Sand; and Loamy Very Fine Sand	0.35	0.25

(e) ~~Where moderately limited soils underlie the mound within 36 inches of the bottom of the drainfield, D~~ drainfield sizing shall be based on the most restrictive soil texture existing in contact with the sidewalls or bottom of the drainfield or in the profile to a depth of 36 inches below the bottom of the drainfield. Drainfield sizing based on soils below natural grade shall be based on, -using- Table III, -for soil loading rates. Drainfield sizing based on fill material above natural grade shall be based on the soil loading rates in subparagraph (d).

(f) through (j) No change

(4) through (10) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 6-18-03, 11-26-06, 6-25-09.

64E-6.015 Permitting and Construction of Repairs.

All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only if all of the following conditions are met:

(1) Any property owner or lessee who has an onsite sewage treatment and disposal system which is improperly constructed or maintained, or which fails to function in a safe or sanitary manner shall request from the DOH county health department, either directly or through their agent, a permit to repair the system prior to initiating repair of the system. A permit shall be issued on Form DH 4016, 10/96, hereby incorporated by reference, only after the submission of an application accompanied by the necessary exhibits and fees. Form DH 4015, 10/96, hereby incorporated by reference, shall be used for this purpose, and can be obtained from the department. Applications shall contain the following information:

(a) A site plan showing property dimensions, the existing and proposed system configuration and location on the property, the building location, potable and non-potable water lines, within the existing and proposed ~~system drainfield~~ repair area, the ~~general~~ slope of the property, property lines and easements, any obstructed areas, any private or public wells, or any surface water bodies and stormwater systems in proximity to the onsite sewage system which restricts replacement or relocation of the drainfield system. For this paragraph, “in proximity” shall mean closer to the proposed or existing system than the distance of the current required setback in Table V plus 25 feet. The existing drainfield type shall be described. For example, mineral aggregate, non-mineral aggregate, chambers, or other.

(b) through (f) No change

(2) through (12) No change

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065, 386.041 FS. History—New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00, 5-24-04, 11-26-06, 6-25-09.

Issue Number: 10-11
Subject: PBTS design standards
Date New: 6/29/2010
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP: 10/11/2011
Date Initially Approved by TRAP: 7/15/2010
Date Heard by Variance Committee: 9/2/2010
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

7/15/10 TRAP passed to Variance Committee. Eb will discuss with Daman regarding 1,000,000 colony forming units on line 63.
9/2/10 Variance Comments: REI-ok; ENG-ok; CHD-ok, SHO-Fix 2 typos (done); STI-No problem; HBI-no comment
9/10/10 Incorporated changes from Eb and Damann's meeting.
9/23/10 On agenda but not discussed at TRAP. Did not complete agenda.
10/19/10 Eb incorporated changes to data requirements.
11/22/10 Incorporated Eb's updates that adopts independent testing language from issue 08-09. Made references to several requirements that occur six months following the effective date. Renumbered to reflect issue 08-09 renumbering.
12/2/2010 TRAP TABLED for conference call with industry. Also, change (12) to require that "9 months following the effective date" and "reclassifications shall use field data (10)(d&e)
9/26/2011 Combined with Issue 08-09, added NSF 245 language
10/11/2011 TRAP tables for meeting with manufacturers.
10/17/2011 Eberhard had meeting with manufacturers.
11/18/2011 Eberhard incorporated comments from his meeting with manufacturers.

Issue Number: 10-12
Subject: SB 550: Five-year System Evaluation
Date New: 6/30/2010
Date Initially Heard by TRAP: 7/15/2010
Date Tabled by TRAP: 7/15/2010
Date Initially Approved by TRAP:
Date Heard by Variance Committee: 10/7/2010
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

7/15/10 TRAP tabled to revise language per TRAP discussion.
8/5/2010 Edited to reflect discussions with FOWA
8/18/2010 Edited to reflect discussions with DOH staff and FOWA
8/25/2010 Added language to allow for multiple systems to be evaluated on a schedule and some of David's edits.
8/30/10 Added language for soils course.
9/7/10 incorporated Gerald's review.
9/10/10 Incorporated comments from FOWA discussion.
9/23/10 TRAP recommended to proceed with rulemaking but to do no inspections until 6/1/2011.
9/24/10 Incorporated public comments and staff edits.
10/1/10 Fixed numbering error.
10/15/10 Variance committee comments: NOTE: The issues were mailed to the variance committee on 10/1 for review at the 10/7 variance meeting. Some members reported not having them at the time of the meeting. The committee was invited to send comments by 10/14 to forward to the TRAP. ENG-Just getting these and not having the opportunity to discuss these significant changes with out discussion of the board would not be proper. There appears to be developing overlapping language with the various sections of the rule. This discussion should take place at the next meeting. This is probably not what you wanted to hear but this rule is going to have a major economic impact on the citizens of Florida and should not be rushed or short changed. CHD-in lines [131-132] I assume 381.0065(5)(d) will match the standards in the existing code considering original installation?
11/2/10 Changed pumping all tanks to assessing sludge levels.
11/4/10 Variance Comments: STI-All tanks should be pumped the first five-year cycle and then measure sludge after that. ENG- single compartment tanks should have "tee" not filter., DOH has no authority to require training for engineers., WSWT determination methodology has changed and some systems met 24" with 1983 methodology will no longer meet 24" with current methodology. SHO-permanent removal of obstruction does not address compaction issues., change lines to read "opening of the inlet of the outlet device or filter"., need to probe the tank bottom and check for low water level in tank to identify defective tanks. COMMITTEE-include installation date for when device versus filter is required [this would take several paragraphs, may be better to check rules between 1995 and 1997].
11/5/10 Incorporated variance comments.
11/22/10 Gerald removed from TRAP agenda. November, 2010, amendment to law allows until May, 2011, to enact rule. Awaiting 2011 session outcome.
7/1/2011 The 2011 Legislature did not repeal or modify the septic tank evaluation program established in 2010. While the implementation date was moved to July 1, 2011 by the November 2010 Special Session, the department would have to adopt a rule to implement the program. In addition, the Legislature added language in the Budget Implementation Act requiring the department to submit a plan for approval by the Legislature Budget Commission before expending funds in furtherance of the evaluation program. Finally, any rule adopted by the department will require ratification from the Legislature. The department would restart rule development after approval by Legislature Budget Commission. Information will be posted on the Bureau of Onsite Sewage Programs website at www.MyFloridaEH.com.

Proposed amendments to Chapter 64E-6, Florida Administrative Code, implementing SB550 (2010-205, LOF) relating to Five-Year Evaluation and Assessment of Onsite Swage Systems

NOTE: All language is proposed new language. The underline/overstrike indicates changes since the previous draft.

1 | 11/05/2010~~9/24/2010~~ version

2 | Evaluation and Assessment

3 | (1) Except for systems required to obtain an operating permit, all systems shall be evaluated
4 | every five years to assess their fundamental operational condition and identify any failures. The
5 | following standards shall apply:

6 | (a) The Department shall notify property owners of the requirement to have their system
7 | evaluated at least 60 days prior to the deadline for their system evaluation.

8 | (b) The property owner may request an exemption from the evaluation requirement or an
9 | extension of the time to obtain an evaluation under the following conditions:

10 | 1. A notice that sewer will be available within the next five years. A letter from the sewer
11 | utility regarding the anticipated date of sewer availability must be provided to the Department
12 | with the request. A system owner may receive only one such exemption for one five-year
13 | evaluation cycle for a piece of property.

14 | 2. A notice that sewer is available and written arrangement for payment of any utility
15 | assessments or connection fees has been made. A letter from the sewer utility verifying that
16 | sewer is available to the property and acknowledging the payment of assessments and fees must
17 | be provided to the Department with the request. A property owner may receive only one such
18 | exemption for a piece of property.

19 | 3. The owner of a single family owner-occupied residence who meets the income level for
20 | grant assistance under s. 381.0066, F.S., may request a one-year extension. A property~~home~~
21 | owner may receive only one such extension per five-year evaluation cycle. Written
22 | documentation of current income level, such as a written determination, ~~provided~~ by a
23 | government agency, of the family income level as a percentage of the federal poverty level, must
24 | be provided with the request.

25 | 4. Systems that have been newly installed, repaired or, modified ~~or replaced~~ are exempt from
26 | evaluation under this section for five years following the date of final system approval.

27 | (c) If the evaluation cannot be scheduled by the deadline, the owner shall provide to the
28 | Department, not later than the deadline, a copy of a signed contract to have the evaluation
29 | performed with the expected completion date, not later than 60 days after the original deadline,

30 noted in the contract. In addition to any other administrative action authorized by law, the
31 Department may impose a fine of up to \$500 for failure to comply with the provisions of this
32 section. Each day the violation continues may constitute a separate violation.

33 1. If there is more than one onsite sewage system on the owner's property or where the owner
34 owns multiple properties, the owner may elect to have some systems evaluated in subsequent
35 years provided at least 20% of all systems on the property and no less than one system are
36 evaluated by the original deadline and each subsequent year until all systems on the property are
37 evaluated. The written evaluation schedule for all systems shall be signed by the property owner
38 and provided to the Department prior to the original deadline.

39 2. Initial notification shall begin in 2011 with notification to property owners ~~having~~
40 systems with permit records in the Department database. Subsequent notifications shall be to
41 owners of developed property for which there is no record of publicly-owned or investor-owned
42 sewer connection. ~~Nothing in this section prevents a county from enacting ordinances to~~
43 ~~authorize earlier notifications of property owners in areas of environmental or public health~~
44 ~~concern.~~

45 (d) Upon receipt of notice to have the system evaluated, a property owner may apply for a
46 permit to have the system modified, repaired or have a new system installed~~replaced~~ in lieu of
47 having the system evaluated. The application shall be made before the evaluation deadline and
48 the repair, modification or replacement shall be completed before the expiration of the permit.

49 (e) If a local government has enacted an evaluation program that meets the requirements of
50 this section, the owner of a system that was evaluated within the preceding five years pursuant to
51 such a program may provide a copy of that local program evaluation report in lieu of the
52 evaluation report required under this section. The local program evaluation report shall be
53 accompanied by the report fee required in this section. The Department shall review the report
54 and notify the system owner of any required corrections to the system.

55 (2) Evaluations shall be conducted by licensed septic tank contractors, environmental health
56 professionals certified in the area of onsite sewage treatment and disposal systems, or licensed
57 professional engineers. Except for Department personnel conducting evaluations for the
58 Department, persons conducting evaluations shall complete Department-approved trainings on
59 the evaluation process and wettest season water table determination and pass examinations on
60 the trainings with a score of at least 80%.

61 (a)- Employees under the supervision and control of engineers or septic tank contractors may
62 conduct evaluations provided both the employee and the supervising contractor or engineer have
63 successfully completed the Department-approved training. The employee as well as the
64 supervising contractor or engineer must sign the evaluation report. Any violation by the
65 employee shall constitute a violation by the supervising contractor or engineer. Employee is
66 defined as a person who receives compensation from and is under the supervision and control of
67 an employer who regularly deducts the F.I.C.A. and withholding tax and provides workers'
68 compensation, all as prescribed by law.

69 1. An employee who will perform only the tank evaluation and certification is required to
70 successfully complete only the training in paragraph (b).

71 2. An employee who will perform only the drainfield portion of the evaluation is required to
72 successfully complete only the training in paragraph (c).

73 (ba) The training on the evaluation process shall be approved in accordance with the
74 Department Policy on Requirements for Continuing Education Courses and Course Providers
75 and shall include 6 hours of instructional time comprised of the following subjects:

- 76 1. statutory and rule requirements;
- 77 2. form completion and reporting;
- 78 3. field procedures; and
- 79 4. standards of practice.

80 (cb) The training on wettest season water table determination shall be approved in
81 accordance with the Department Policy on Requirements for Continuing Education Courses and
82 Course Providers and shall include 6 hours of instructional time comprised of the following
83 subjects:

- 84 1. soil color determination and documentation;
- 85 2. soil color contrast determination and documentation;
- 86 3. wettest season water table feature identification, quantification and documentation;
- 87 4. field determination of -the wettest season water table~~soil texture in the field~~; and
- 88 5. proper use of soil surveys.

89 (de) Persons who successfully complete the Department-approved training on soils
90 morphology that is required for persons being certified under 381.0101, F.S., and for becoming

91 master septic tank contractors may substitute that training for the training required in
92 ~~sub~~paragraph (c)2.

93 (3) The evaluation report shall be made on Form DH #####, System Evaluation Report,
94 ##/2010, herein incorporated by reference. The evaluator is responsible for providing a copy of
95 the report to the system owner and for submitting the report and required report fee to the
96 Department ~~postmarked within 10 business days of completion of the evaluation.~~ Electronic
97 submission of the report to a Department-approved data system is allowed. ~~Where the evaluator~~
98 ~~uses electronic submission, R~~reports and fees must be postmarked, electronically submitted or
99 delivered to the Department, no later than the 10th day of the month following the month in
100 which the evaluation was completed. ~~must be filed within 10 business days with monthly~~
101 ~~payment of the reporting fee by the 10th business day of each month.~~

102 (a) The evaluator, with the prior written approval of the owner, may conduct a more in-depth
103 ~~and complete~~ evaluation of the system provided those evaluation activities that go beyond the
104 requirements of this section are identified on the evaluation report.

105 (b) The evaluator shall measure the scum and sludge layer in treatment tanks to determine if
106 a pump out is required. Tanks shall be pumped out if either layer is within 8 inches of the
107 opening of the inlet of the outlet device or filter. If an outlet device or filter is not present, one
108 shall be installed and the evaluator shall make the pump out determination based on the installed
109 device or filter. Where an external outlet filter is used, measurements shall be made from the
110 opening of the inlet of the outlet device leading to the external outlet filter. ~~All tanks shall be~~
111 ~~pumped. A pump out is not required when documentation of a pump out in the previous five~~
112 ~~years includes the capacity and condition of the tank.~~

113 (c) The evaluator shall visually inspect the tanks for any cracks or leaks or corrosion. The
114 evaluator shall probe to determine that the tank bottom is intact and shall document that the tank
115 is not watertight if the liquid level is below the outlet invert. The evaluator shall document tank
116 deformities which result in less than 1-inch of fall from the tank inlet to the outlet or which
117 prevent lids or manhole covers from being properly installed.

118 (d) The evaluator shall inspect the area of the system for any exposed sewage or effluent.

119 (e) The evaluator shall determine the wettest season water table in accordance with
120 Department rule and record that elevation referenced to a reference point or benchmark on the

121 site. The evaluator shall probe or dig to determine the lowest elevation of the bottom of the
122 drainfield and record that elevation relative to the elevation of the wettest season water table.

123 (f) When the evaluation of the tank interior is completed, the original lid or manhole cover of
124 the tank shall be put back in place, or be replaced with a new lid or manhole cover from an
125 approved septic tank manufacturer if the original one is broken. Tank lids and manhole covers
126 shall be completely sealed and secured as required in paragraph 64E-6.013(2)(i), F.A.C. Lid or
127 manhole cover replacement does not require a permit but shall be documented on the evaluation
128 form. Missing or damaged outlet devices or filters shall be replaced with a device or filter
129 meeting the requirements in effect on the installation date of the tank. During the tank
130 evaluation or pumping, the outlet filter shall be cleaned. If the owner refuses permission to make
131 these corrections, the evaluator shall document this on the evaluation form. The Department will
132 issue a notice to correct and, if required, take enforcement action.

133 (4) The Department shall review the system evaluation and, if required, issue a notice to
134 obtain a construction permit to repair the system, ~~modify the system~~ or install a new system.

135 (a) A repair permit shall be required when:

- 136 1. The tank is not watertight; or
- 137 2. The tank has deformed sufficiently that there is less than 1-inch of fall from the inlet to the
138 outlet or to prevent the lids from being properly replaced; or
- 139 3. There is exposed sewage or effluent on the site.
- 140 4. The bottom of the drainfield does not meet the minimum separation from the wettest
141 season water table as required in s. 381.0065(5)(d), F.S.

142 (b) A permit to install~~construct~~ a new system shall be required when:

- 143 1. There is no tank; or
- 144 2. The tank is not constructed of sealed concrete block, monolithic concrete, fiberglass, or
145 polyethylene.
- 146 3. The system includes a cesspool or bottomless tank; or
- 147 4. There is a direct discharge of sewage or effluent to surface water; or
- 148 5. The tank cannot be accessed because it is beneath a building or obstruction that is not
149 permanently removed prior to the evaluation; or
- 150 6. The evaluator cannot determine the separation between the drainfield and the wettest
151 season water table or whether the drainfield is in failure because the~~The~~ drainfield is beneath a

152 building or obstruction that is not permanently removed prior to the evaluation~~prevents~~
153 ~~determination of failure or the separation between the drainfield and the wettest season water~~
154 ~~table.~~

155 (c) Installation date shall be based on the most recent final approval of a new system or
156 system modification. If a Department record is not available the installation date shall be based
157 on property appraiser or building Department records.

158 (5) The owner shall make application for a construction permit within 60 days of the date of
159 the notice from the Department to obtain a construction permit; however, if the only correction
160 being addressed is separation from wettest season water table, the system owner shall have one
161 year to make application following receipt of notice from the Department to obtain a
162 construction permit.

163 (6) Repairs or new system installation shall be completed within 90 days following the
164 issuance of the system construction permit. Until the system construction~~repair or replacement~~
165 has been completed, the owner shall ensure that the sewage or effluent is not exposed in open
166 tanks or on the ground surface or discharged into surface water.

167 (7) Evaluators are responsible for compliance with the standards of section 381.0065, F.S.,
168 and this chapter in conducting and submitting evaluations. Violations committed by the
169 employee of a contractor or engineer shall subject both the employee and the supervising
170 contractor or engineer to penalty. The following actions shall be subject to the following
171 penalties:

172 (a) Failure to conduct the evaluation in accordance with this section. First violation, Letter of
173 Warning and fine up to \$500; repeat violation, \$500 fine per violation and suspension or
174 revocation of approval to conduct evaluations.

175 (b) Failure to submit reports within timeframes. First violation, Letter of Warning; repeat
176 violation, fine up to \$500; additional violation, \$500 fine and suspension or revocation of
177 approval to conduct evaluations.

178 (c) False payment statements. First violation, Letter of Warning and fine up to \$500; repeat
179 violation, \$500 fine per violation and suspension or revocation of approval to conduct
180 evaluations.

181 (d) Failure to complete work within timeframes of contract or abandoning a contract. [First](#)
182 [violation](#), Letter of Warning and fine up to \$500; repeat violation, \$500 fine per violation and
183 suspension or revocation of approval to conduct evaluations.

184 (e) Conducting evaluations without being licensed or certified or completing required
185 training. First violation, Letter of Warning and fine up to \$500; repeat violation, \$500 fine per
186 violation and suspension or revocation of approval to conduct evaluations.

187 (f) Practicing fraud or deceit, making misleading or untrue representations. First violation,
188 Letter of Warning and fine up to \$500; repeat violation, \$500 fine per violation and suspension
189 or revocation of approval to conduct evaluations.

190 (g) Illegal disposal of septage. First violation, Fine up to \$500; repeat violation, \$500 fine
191 per violation and suspension or revocation of septic tank contractor registration.

192 (h) Absence of any violation from this section shall not be construed as an indication that no
193 penalty is to be assessed.

194 (8) In addition to the penalties of this section, complaints may be issued and disciplinary
195 action may be taken under the provisions of law and rule under which an evaluator is licensed or
196 certified.

197

198 (9) Owners who do not comply with provisions of this section shall be subject to
199 administrative fines up to \$500 per day per violation.

Issue Number: 10-13
Subject: Portable Restroom and Holding Tank Permitting
Date New: 7/15/2010
Date Initially Heard by TRAP: 12/2/2010
Date Tabled by TRAP: 10/11/2011
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

9/23/10 On agenda but not discussed at TRAP. Did not complete agenda.

11/30/10 Eric Anderson asked that the issue be removed from the agenda if he cannot be at the meeting.

12/2/2010 TRAP tabled and asked for number of incidents and costs to provide service. Added multiple placement in fees.

10/11/2011 TRAP tabled for number of temporary permits issued and the cost per service.

1 | **64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.**

2 | (1) through (6) No change

3 | (7) Portable Restrooms, Portable Holding Tanks, Stationary Holding Tanks, Mobile Restroom Trailers, Mobile Shower
4 | Trailers, and Portable Sinks.

5 | (a) The department shall allow, on a temporary basis, portable restrooms, mobile restrooms, mobile shower trailers, and
6 | portable or stationary holding tanks for fairs, carnivals, revivals, field locations, encampments and other locations which lack
7 | permanent structures where people congregate for short periods of time, provided the construction, maintenance, and utilization
8 | of such systems conform to the general provisions of this chapter. Portable restrooms, portable or stationary holding tanks or
9 | other restroom facilities shall be provided at commercial and residential building sites for the duration of construction any time
10 | workers are present, and shall not be bound by the definition of temporary. All required restroom facilities shall remain
11 | accessible whenever the intended users are present. Where the department determines that no health hazard will result, portable
12 | restrooms, portable holding tanks, stationary holding tanks, mobile restroom trailers, mobile shower trailers, and portable sinks
13 | shall be permitted meeting setbacks that are 50% of the setback requirements of subsections 64E-6.005(1) through (3), F.A.C.,
14 | provided portable or stationary holding tanks shall be placed within secondary containment structures with a containment
15 | capacity of no less than 110% of the total waste capacity of the holding tank. For purposes of this rule, a holding tank is any
16 | sealed, water tight fixture for receiving and storing domestic wastewater from plumbing fixtures in remote locations or at
17 | building sites or special events. For purposes of this rule, a portable restroom is a transportable, self contained static or flush-
18 | type toilet constructed to promote a sanitary environment at remote locations, building sites or special events, comprised of at
19 | least a waste storage receptacle, a riser and toilet seat and a protective enclosure. Portable restrooms, mobile restrooms, and
20 | mobile shower trailers at building sites or at a location for a temporary period of time do not require a permit from the
21 | department but must comply with the provisions of this rule. A construction permit (DH 4016) shall be obtained before placing
22 | or installing any stationary holding tanks. An application fee, permit fee and an inspection fee shall be paid pursuant to
23 | approval of the installation of the stationary holding tank. One permit shall be required for all stationary holding tanks at a
24 | single site provided all holding tanks are shown on the site plan and the number and capacity of all holding tanks is listed on
25 | the permit.

26 | (b) The department shall approve, for permanent use or placement, portable restrooms or stationary holding tanks at
27 | continually used locations where restroom facilities are desirable for the promotion of public health and where conventional
28 | facilities are neither available nor practical. Examples of such locations would be boat ramps, remote areas of golf courses,
29 | office or sales trailers, or other places where people congregate which meet the above criteria. A construction permit (DH
30 | 4016) shall be obtained before placing or installing any portable restroom or stationary holding tank for permanent use. A
31 | permit fee shall be paid pursuant to approval of the permanent installation of a portable restroom. One permit shall be required
32 | for all portable restrooms at a single site and shall indicate the number of restrooms permitted. The portable restroom service
33 | company providing portable restrooms or stationary holding tanks shall be responsible for maintenance of the unit and removal
34 | if conventional facilities are made available.

35 | (c) through (x) No change

36 | (8) No change

37 | *Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 386.041 FS. History–New 5-24-04,*
38 | *Amended 11-26-06, 6-25-09, 4-28-10, ____.*

39 | **64E-6.030 Fees.**

40 | (1) The following fees are required for services provided by the department.

41 | (a) Application and plan review for construction permit for new system. \$100

42 | (b) Application and approval for existing system, if system inspection is not required. \$35

43 | (c) Application and Existing System Evaluation. \$50

44 | (d) Application for permitting of a new performance-based treatment system. \$125

45 | (e) Site evaluation. \$115

46 | (f) Site re-evaluation. \$50

47 | (g) Permit or permit amendment for new system, modification or repair to system. \$55

48 | (h) Permit for permanent placement of a portable restroom or multiple restrooms at one site. \$35

49 | ____(h) through (x) renumbered as (i) through (y) No change

50 | (2) No change

51 | *Rulemaking Authority 154.06(1), 381.0066, 489.557(1) FS. Law Implemented 381.0065, 381.0066, 489.557 FS. History–New*
52 | *2-3-98, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06, 9-24-07, ____.*

Issue Number: 10-14
Subject: Setback from DEP water Main
Date New: 8/9/2010
Date Initially Heard by TRAP: 12/2/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 12/2/2010
Date Heard by Variance Committee: 7/7/2011
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.005 Location and Installation.**

2 All systems shall be located and installed so that with proper maintenance the systems function in a sanitary manner, do not
3 create sanitary nuisances or health hazards and do not endanger the safety of any domestic water supply, groundwater or
4 surface water. Sewage waste and effluent from onsite sewage treatment and disposal systems shall not be discharged onto the
5 ground surface or directly or indirectly discharged into ditches, drainage structures, groundwaters, surface waters, or aquifers.
6 To prevent such discharge or health hazards:

7 (1) No change

8 (2) Systems shall not be located under buildings or within 5 feet of building foundations, including pilings for elevated
9 structures, or within 5 feet of mobile home walls, swimming pool walls, or within 5 feet of property lines except where
10 property lines abut utility easements which do not contain underground utilities, or where recorded easements are specifically
11 provided for the installation of systems for service to more than one lot or property owner.

12 (a) No change

13 (b) Systems shall not be located within 10 feet of water storage tanks in contact with the ground or potable water lines
14 unless such lines are sealed with a water proof sealant within a sleeve of similar material pipe to a distance of at least 10 feet
15 from the nearest portion of the system or the water lines themselves consist of schedule 40 PCV or stronger. In no case shall
16 the water line be located within 24 inches of the onsite sewage treatment and disposal system. Potable water lines within 5 feet
17 of the drainfield shall not be located at an elevation lower than the drainfield absorption surface. Non-potable water lines shall
18 not be located within 24 inches of the system without backflow devices per Sections 381.0065(2)(1)1. and 2., F.S., being
19 installed on the water line to preclude contamination of the water system. Systems shall not be constructed within 10 feet of
20 DEP-regulated water mains as defined in rule 62-555.314, F.A.C.

21 (c) No change

22 (3) through (9) No change

23 *Rulemaking Authority 381.0065(3)(a), 489.553, 489.557(1) FS. Law Implemented 381.0065, 489.553 FS. History—New 12-22-*
24 *82, Amended 2-5-85, Formerly 10D-6.46, Amended 3-17-92, 1-3-95, Formerly 10D-6.046, Amended 11-19-97, 2-3-98, 3-22-*
25 *00, 5-24-04, 6-25-09, .*

26
27
28 **62-555.314 Location of Public Water System Mains.**

29
30 **For the purpose of this section, the phrase “water mains” shall mean mains, including treatment plant**
31 **process piping, conveying either raw, partially treated, or finished drinking water; fire hydrant leads; and**
32 **service lines that are under the control of a public water system and that have an inside diameter of three**
33 **inches or greater.**

34 (1) Horizontal Separation Between Underground Water Mains and Sanitary or Storm Sewers, Wastewater or
35 Stormwater Force Mains, Reclaimed Water Pipelines, and On-Site Sewage Treatment and Disposal Systems.

36 (a) New or relocated, underground water mains shall be laid to provide a horizontal distance of at least three
37 feet between the outside of the water main and the outside of any existing or proposed storm sewer, stormwater
38 force main, or pipeline conveying reclaimed water regulated under Part III of Chapter 62-610, F.A.C.

39 (b) New or relocated, underground water mains shall be laid to provide a horizontal distance of at least three
40 feet, and preferably ten feet, between the outside of the water main and the outside of any existing or proposed
41 vacuum-type sanitary sewer.

42 (c) New or relocated, underground water mains shall be laid to provide a horizontal distance of at least six feet,
43 and preferably ten feet, between the outside of the water main and the outside of any existing or proposed gravity-
44 or pressure-type sanitary sewer, wastewater force main, or pipeline conveying reclaimed water not regulated under
45 Part III of Chapter 62-610, F.A.C. The minimum horizontal separation distance between water mains and gravity-
46 type sanitary sewers shall be reduced to three feet where the bottom of the water main is laid at least six inches
47 above the top of the sewer.

48 (d) **New or relocated, underground water mains shall be laid to provide a horizontal distance of at least**
49 **ten feet between the outside of the water main and all parts of any existing or proposed “on-site sewage**
50 **treatment and disposal system” as defined in Section 381.0065(2), F.S., and Rule 64E-6.002, F.A.C.**

Issue Number: 10-15
Subject: Septage Handler Service Permits
Date New: 8/27/2010
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:
9/13/10 Gerald withdrew for further consideration.

1 | **64E-6.010 Septage and Food Establishment Sludge.**

2 | (1) No septic tank, grease interceptor, privy, or other receptacle associated with an onsite sewage treatment and
3 | disposal system shall be cleaned or have its contents removed until the service person has obtained an annual written
4 | permit (Form DH 4013, 01/92, Operating Permit, herein incorporated by reference) from the DOH county health
5 | department in the county in which the service company is located. Persons transporting, storing, treating and
6 | disposing of material removed from onsite sewage treatment and disposal system receptacles and persons owning
7 | storage, treatment and disposal facilities shall obtain a written annual permit (Form DH 4013) from the DOH county
8 | health department in which the service or storage, treatment or disposal facility is located. Permits issued under this
9 | section authorize the ~~person disposal service~~ to handle liquid waste associated with food operations, domestic waste,
10 | or domestic septage. A person need obtain a single service permit to cover all of the multiple services he may
11 | provide however a separate permit is required in each county in which the person has an office, storage site,
12 | treatment site or disposal site. Such authorization applies to all septage produced in the State of Florida, and food
13 | establishment sludge which is collected for disposal from onsite sewage treatment and disposal systems.

14 | (2) through (10) No change

15 | *Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 386.041, 373.4595 FS. History–*
16 | *New 12-22-82, Amended 2-5-85, Formerly 10D-6.52, Amended 3-17-92, 1-3-95, 5-14-96, Formerly 10D-6.052,*
17 | *Amended 3-22-00, 5-24-04, 11-26-06, 6-25-09, ____.*

18 | **64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.**

19 | (1) Persons servicing portable restrooms, portable hand washing facilities and portable or stationary holding
20 | tanks and persons who transport or store the wastes from such facilities shall obtain an annual permit on Form DH
21 | 4013, 01/92, Operating Permit, herein incorporated by reference, from the county health department in the county in
22 | which the service company has an office or storage yard or storage tank. The service company need not be permitted
23 | in neighboring counties in which the service company operates but does not have an office or storage yard. Service
24 | persons shall carry proof of possession of a current annual operating permit and vehicle inspection for review by
25 | department personnel in neighboring counties. Permits issued under this rule authorize the disposal service to handle
26 | liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers
27 | and portable or stationary holding tanks containing domestic wastewater produced in the State of Florida.

28 | (2) through (8) No change

29 | *Rulemaking Authority 381.0065, 489.553, 489.557 FS. Law Implemented 381.0065, 381.00655, 381.0066, Part I*
30 | *386 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.53, Amended 3-17-92, 1-3-95, Formerly 10D-*
31 | *6.053, Amended 6-18-03, 6-25-09, ____.*

32 | **PART V**

34 | **64E-6.030 Fees.**

- 35 | (1) The following fees are required for services provided by the department.
- | | |
|--|-------|
| 36 (a) Application and plan review for construction permit for new system. | \$100 |
| 37 (b) Application and approval for existing system, if system inspection is not required. | \$35 |
| 38 (c) Application and Existing System Evaluation. | \$50 |
| 39 (d) Application for permitting of a new performance-based treatment system. | \$125 |
| 40 (e) Site evaluation. | \$115 |
| 41 (f) Site re-evaluation. | \$50 |
| 42 (g) Permit or permit amendment for new system, modification or repair to system. | \$55 |
| 43 (h) Research/Training surcharge, new and repair permits. | \$5 |
| 44 (i) Initial system inspection. | \$75 |
| 45 (j) System reinspection (stabilization, non-compliance or other inspection after the initial inspection). | \$50 |
| 46 (k) Application for system abandonment permit, includes permit issuance and inspection. | \$50 |
| 47 (l) Annual operating permit industrial/manufacturing zoning or commercial sewage waste. | \$150 |
| 48 (m) Biennial operating permit for aerobic treatment unit or performance-based treatment system. | \$100 |
| 49 (n) Amendment to operating permit. | \$50 |
| 50 (o) Tank Manufacturer’s Inspection per annum. | \$100 |
| 51 (p) Septage Disposal Service permit per annum. | \$75 |
| 52 (q) Portable or Temporary Toilet Service permit per annum. | \$75 |
| 53 (r) Additional charge per pumpout <u>or hauling</u> vehicle, septage disposal service or portable toilet service. | \$35 |

54	(s) Septage stabilization facility inspection fee per annum per facility.	\$150
55	(t) Septage disposal site evaluation fee per annum.	\$200
56	<u>(u) Septage, grease or portable restroom waste storage facility per annum</u>	<u>\$75</u>
57	(v)(+) Aerobic treatment unit maintenance entity permit per annum.	\$25
58	(w)(+) Variance Application for a single family residence per each lot or building site.	\$200
59		
60	(x)(+) Variance Application for a multi-family or commercial building per each building site.	\$300
61		
62	(y)(+) Application for innovative product approval.	\$2500
63	(2) The following fees are required to accompany applications for registration of individuals for septic tank contractor or master septic tank contractor or for a certificate of authorization for partnerships and corporations.	
64		
65	(a) Application for registration including examination.	\$75
66	(b) Initial registration.	\$100
67	(c) Renewal of registration.	\$100
68	(d) Certificate of authorization each two-year period.	\$250

69 *Rulemaking Authority 154.06(1), 381.0066, 489.557(1) FS. Law Implemented 381.0065, 381.0066, 489.557 FS.*
70 *History—New 2-3-98, 9; s. 12, ch. 96-303, _____.*

71

Issue Number: 10-16
Subject: Flow Calculation - Multi-purpose rooms
Date New: 8/31/2010
Date Initially Heard by TRAP: 12/2/2010
Date Tabled by TRAP: 12/2/2010
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

9/23/10 On agenda but not discussed at TRAP. Did not complete agenda.
12/2/2010 TRAP tabled for additional information.

- 1 **64E-6.008 System Size Determinations.**
- 2 (1) Minimum design flows for systems serving any structure, building or group of buildings shall be based on the
- 3 estimated daily sewage flow as determined from Table I or the following:
- 4 (a) No change
- 5 (b) No change

TABLE I
For System Design
ESTIMATED SEWAGE FLOWS

TYPE OF ESTABLISHMENT	GALLONS PER DAY
COMMERCIAL:	
Airports to Mobile Home Park No change	
<u>Multi-purpose room</u>	
<u>Based on 75% of the fire marshal's maximum occupancy</u>	
<u>(a) Per person not more than 3 hours per day</u>	<u>4</u>
<u>(b) Per person not more than 8 hours per day</u>	<u>15</u>
<u>(c) Per person not more than 16 hours per day</u>	<u>30</u>
<u>(d) Per person over 16 hours per day</u>	<u>50</u>
Office building to Residences No change	

- 6
- 7 Footnotes to Table I:
- 8 1. through 6. No change
- 9 (2) to (6) No change

10 *Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History--New 12-22-82, Amended 2-5-85, Formerly*
 11 *10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00, 11-26-06, 6-25-09, ____.*

Issue Number: 10-17
Subject: Fees
Date New: 9/7/2010
Date Initially Heard by TRAP: 9/23/2010
Date Tabled by TRAP: 9/23/2010
Date Initially Approved by TRAP:
Date Heard by Variance Committee: 10/7/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 | **64E-6.030 Fees.**

2 | (1) The following fees are required for services provided by the department.

3 | (a) Application and plan review for construction permit ~~for new system.~~ \$100

4 | (b) Application ~~and approval~~ for existing system, initial review. ~~if system inspection is not required.~~ \$35

5 | (c) ~~Application and~~ Existing System Evaluation. ~~\$50~~ \$115

6 | (d) Application for permitting of a ~~new~~ performance-based treatment system. \$125

7 | (e) Site evaluations:

8 | 1. Standard site evaluation, does not include mean annual floodline determination. \$115

9 | 2. Mean annual flood line determination during site evaluation. \$50

10 | 3. Mean annual flood line determination if not conducted during site evaluation. \$115

11 | 4. Additional soil profiles, per two profiles over standard two profiles. \$50

12 | (f) Site re-evaluation or excavation inspection. \$50

13 | (g) Permit or permit amendment for new system, modification or repair to system. \$55

14 | (h) Research/Training surcharge, new and repair permits. \$5

15 | (i) Initial system construction inspection. \$75

16 | (j) System reinspection (stabilization, non-compliance or other inspection after the initial inspection). \$50

17 | (k) Application for system abandonment permit, includes permit issuance and inspection. \$50

18 | (l) Annual operating permit industrial/manufacturing zoning or commercial sewage waste. \$150

19 | (m) Biennial operating permit for aerobic treatment unit or performance-based treatment system. \$100

20 | (n) Amendment to operating permit. \$50

21 | (o) Tank Manufacturer's Inspection per annum. \$100

22 | (p) Septage Disposal Service permit per annum. \$75

23 | (q) Portable or Temporary Toilet Service permit per annum. \$75

24 | (r) Additional charge per pumpout vehicle, septage disposal service or portable toilet service. \$35

25 | (s) Septage stabilization facility inspection fee per annum per facility. \$150

26 | (t) Septage disposal site evaluation fee per annum. \$200

27 | (u) Aerobic treatment unit maintenance entity permit per annum. \$25

28 | (v) Variance Application for a single family residence per each lot or building site. \$200

30 | (w) Variance Application for a multi-family or commercial building per each building site. \$300

32 | (x) Application for innovative product approval. \$2500

33 | (2) The following fees are required to accompany applications for registration of individuals for septic tank contractor or master septic tank contractor or for a certificate of authorization for partnerships and corporations.

36 | (a) Application for registration including examination. \$75

37 | (b) Initial registration. \$100

38 | (c) Renewal of registration. \$100

39 | (d) Certificate of authorization each two-year period. \$250

40 |

Issue Number: 10-18
Subject: Repair Permit Fees
Date New: 9/10/2010
Date Initially Heard by TRAP: 12/2/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 12/2/2010
Date Heard by Variance Committee: 7/7/2011
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

1 **64E-6.003 Permits.**

2 (1) System Construction Permit – No portion of an onsite sewage treatment and disposal system shall be installed,
3 repaired, altered, modified, abandoned or replaced until an “Onsite Sewage Treatment and Disposal System Construction
4 Permit” has been issued on Form DH 4016. If building construction has commenced, the system construction permit shall be
5 valid for an additional 90 days beyond the eighteen month expiration date. ~~A fee shall not be charged for a repair permit issued~~
6 ~~within 12 months from the date of final authorization of the onsite sewage treatment and disposal system.~~ If a construction or
7 repair permit for an onsite sewage treatment and disposal system is transferred to another person the date of the construction or
8 repair permit shall not be amended, but shall run from the date of original issuance prior to the transfer. Servicing or replacing
9 with like kind mechanical or electrical parts of an approved onsite sewage treatment and disposal system; pumping of septage
10 from a system; or making minor structural corrections to a tank, or distribution box, does not constitute a repair.

11 (2) through(6) No change

12 *Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041 FS.*
13 *History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-*
14 *6.043, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06, 6-25-09, .*

Issue Number: 10-19
Subject: Repair Standards
Date New: 10/13/2010
Date Initially Heard by TRAP: 9/23/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 9/23/2010
Date Heard by Variance Committee: 10/7/2010
Date of TRAP Final Recommendation: 12/2/2010
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

64E-6.015 Permitting and Construction of Repairs.

(1) No person shall cause or allow repair of a system without first applying for and receiving a construction permit. Form DH 4015 shall be used for permit application submission. An application shall be completed in full, signed by the owner or the owner's agent, and accompanied by all required exhibits and fees. The application shall include:

~~All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only if all of the following conditions are met:~~

~~(1) Any property owner or lessee who has an onsite sewage treatment and disposal system which is improperly constructed or maintained, or which fails to function in a safe or sanitary manner shall request from the DOH county health department, either directly or through their agent, a permit to repair the system prior to initiating repair of the system. A permit shall be issued on Form DH 4016 only after the submission of an application accompanied by the necessary exhibits and fees. Form DH 4015 shall be used for this purpose, and can be obtained from the department. Applications shall contain the following information:~~

~~(a) A site plan showing property dimensions, the existing and proposed system configuration and location on the property, the building location, potable and non-potable water lines, within the existing and proposed drainfield repair area, the general slope of the property, property lines and easements, any obstructed areas, any private or public wells, or any surface water bodies and stormwater systems in proximity within a distance of the current required setbacks of Table V plus 25 feet to the existing or proposed onsite sewage system which restricts replacement or relocation of the drainfield system. The existing drainfield type shall be described. For example, mineral aggregate, non-mineral aggregate, chambers, or other.~~

~~(b) An Existing System and System Repair Evaluation completed on Form DH 4015. A signed tank certification from a registered septic tank contractor, state-licensed plumber, certified EH professional, or master septic tank contractor providing all tank information required on the form including the certification statement, may be submitted for that portion of the form. The existing drainfield type shall be described. The size of the septic tank or other treatment tank currently in use and the approximate square footage and elevation of the drainfield existing on the site.~~

~~(c) A site evaluation completed on Form DH 4015. Elevation of the proposed system site must be consistent with the "existing grade" elevation on the Existing System and System Repair Evaluation submitted. Soil textures and wettest season water table elevations must be documented within the existing and proposed drainfield areas. Any conditions or obstructions, such as roof drains, patios, parking areas, or pools, which may impact the system design or function shall be noted. The quantity and type of waste being discharged to the system. Where water use records cannot be obtained, estimates shall be made from values found in Rule 64E-6.008, Table I, F.A.C.~~

~~(d) When available, water use records for the previous 24 months. The soil textures encountered within the existing and proposed drainfield areas, and the estimated water table during the wettest season of the year.~~

~~(e) Any unusual site conditions which may influence the system design or function such as sloping property, drainage structures such as roof drains or curtain drains, and any obstructions such as patios, decks, swimming pools or parking areas.~~

~~(f) The person performing the site evaluation shall provide a brief description of the nature of the failure which is occurring.~~

~~(2) Site evaluations necessary to obtain the above referenced information shall be conducted at the expense of the owner or lessee by department personnel, by an engineer who is licensed in the State of Florida or by other qualified persons as per subsection 64E-6.004(3), F.A.C. Site specific information may be obtained by the applicant through examination of department records of permits previously issued for the site.~~

~~(3) When a repair is to be performed on a failing system in which the contractor will be using any method other than drainfield addition or replacement, the following additional permit application information shall be submitted to the county health department: department by the contractor in addition to the information required in subsections 64E-6.015(1) and (2); F.A.C.~~

~~(a)1. The process used to repair the system. Examples include high-pressure water jetting of drainlines and high-pressure injection of air alongside the drainfield. Such information shall include the manner in which the proposed repair will take place. The manufacturers recommended method for product use, quantities and concentration of product, shall be included in this information.~~

~~(b)2. Any chemical compound to be introduced into the system in an effort to repair the system shall be identified by chemical composition or trade name, including the concentration and quantity of product used. The method of product introduction shall be stated. For example, product introduced through the distribution box.~~

~~(c)3. Any repair method proposed which intends to physically disrupt the absorption surface shall include a drawing diagram of the drainfield system that includes a diagram of the sites with the locations where the absorption surface will be disrupted. The depth of each disruption shall be recorded at each site noted at each location.~~

~~(4) When the latest date of new installation or modification of the system requiring repair is before January 1, 1983, and the Where the absorption surface of the drainfield is within 126 inches of the wettest season high water table, the existing drainfield shall be either disconnected from the tank or removed. A replacement drainfield shall be installed at least 12 inches above the wettest season water table. When the original installation date of the system requiring repair is on or after January 1, 1983, and the absorption surface of the drainfield is within 24 inches of the wettest season high water table, the existing drainfield shall be either disconnected from the tank or removed. A replacement drainfield shall be installed at least 24 inches~~

above the wettest season water table. A replacement drainfield shall not be installed over or within two feet of any remaining portion of the existing disconnected drainfield. ~~an alternative repair method addressed in subsection 64E-6.015(3), F.A.C., shall not be used. The existing drainfield shall be removed and a Replacement drainfields shall be installed in accordance with all other repair criteria, including separation from seasonal high water table and drainfield sizing. Paragraph 64E-6.015(6)(f), F.A.C., shall be used to determine septic tank conformance.~~

~~(53) The department shall make every effort to issue a permit within 2 working days after receiving the application for system repair.~~ Repair permits shall be valid for 90 days from the date of issuance. However, if the system is maintained to not create a sanitary nuisance, a repair permit shall be extended for one 90 day period.

~~(64) Construction materials used in system repairs shall be of the same quality as those required for new system construction.~~ Aggregate and soil in spoil material from drainfield repairs shall not be used in system repair in any manner. Undamaged ~~drainfield infiltration~~ units, pipes and mechanical components may be reused on the original site. Any spoil material taken off site shall be disposed of in a permitted landfill or shall be limed and stockpiled for at least 30 days to prevent a sanitary nuisance. Offsite spoil material stockpile areas shall meet the prohibition requirements of subsection 62-701.300(2), F.A.C. The resulting lime-treated material shall not be used for drainfield repair, or construction of any onsite sewage treatment and disposal system. Any use of the lime treated material shall be in a manner that does not cause a violation of Chapter 386 F.S., or and shall not impair groundwater or surface water. Mineral aggregate and soil in spoil material may, at the option of the septic tank contractor and the property owner, be buried on site if limed before burial. Lime amount must be sufficient to preclude a sanitary nuisance. The separation between the wettest season water table and the spoil material shall be no less than the separation required between the wettest season water table and the replacement drainfield. ~~Depth of seasonal high water table to the spoil material must be at least twelve six inches.~~ Setbacks for buried spoil material shall be no less than the setbacks required for the replacement drainfield ~~the same as for onsite sewage treatment and disposal system drainfields.~~ A minimum of six inches of slightly or moderately limited soil shall cover the spoil material and shall extend to at least five feet around the perimeter of the burial site.

(5) Any failing system shall, at a minimum, be repaired in accordance with the following criteria:

(a) System repairs shall comply with minimum setbacks and separations as specified in Rule 64E-6.005, F.A.C. If current required setbacks and separations cannot be met, lesser setbacks as specified in Table V shall be maintained. For repairs only, if current required setbacks given below cannot be attained, absolute minimum setbacks shall be met. When site conditions exist which allow either absolute or current required setbacks to various features, current required setbacks shall be maintained from features with the highest protection factor. Setbacks to features with lower protection factors shall be reduced to the maximum setback or separation attainable, with no less than the absolute minimum setback allowed. A standard gravity flow system is to be used when possible to achieve the appropriate separations of absorption surface to seasonal high water and effective soil depth.

TABLE V
Repair System Setback Requirements

Permit Date of Original System	Description of Setback (Separation)	Protection Factor	Current Required Setback	Absolute Minimum Setback
1-1-72	Prior System to a Private Potable Well	6	75 feet	Greatest of the Following: a) Maximum Setback (<75 feet and >50 feet) b) Original Setback (if >50 feet) c) 50 feet
	Bottom of Drainfield Absorption Surface to Wet Season Water Table	5	24 inches	Greatest of the Following: a) Maximum Separation (>126 inches) b) Original Separation (if >126 inches) c) 126 inches

Effective Soil Depth	5	42 inches	Greatest of the Following: a) 24 inches b) Maximum Separation (>12 inches) c) 12 inches
System to Surface Water	4	50 feet	Greatest of the Following: a) Maximum Setback (>25 feet and <50 feet) b) Original Setback (if >25 feet) c) 25 feet
System to Non Potable Well	3	50 feet	Greatest of the Following: a) Maximum Setback (>25 feet and <50 feet) b) Original Setback (if >25 feet) c) 25 feet
Drainfield Sidewall to Start of Slope	2	4 feet	Greatest of the Following: a) Maximum Separation (>2.5 feet) b) 2.5 feet
System to Property Line or Building Foundation	1	5 feet	Greatest of the Following: a) Maximum Setback (>2 feet) b) 2 feet

Prior ~~1-1-72~~
to ~~1-1-1983~~ ~~12-31-82~~

System to a Private Potable Well	6	75 feet	Greatest of the Following: Setback (<75 feet and >50 feet) b) Original Setback (if >50 feet) c) 50 feet
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a) Maximum

Bottom of Drainfield Absorption Surface to Wet Season Water Table	5	24 inches	Greatest of the Following: a) Maximum Separation (<24 inches and > 12 ⁶ inches) b) Original Separation (if > 12 ⁶ inches)
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inches)
c) ~~126~~ inches

Effective Soil Depth	5	42 inches	Greatest of the Following: a) 36 inches b) Maximum Separation (> 24 inches) c) 24 inches
System to Surface Water	4	75 feet	Greatest of the Following: a) Maximum Setback (<75 feet and >50 feet) b) Original Setback (if >50 feet) c) 50 feet
System to Non-Potable Well	3	50 feet	Greatest of the Following: a) Maximum Setback (<50 feet and >25 feet) b) Original Setback (if >25 feet) c) 25 feet
Drainfield Sidewall to Start of Slope	2	4 feet	Greatest of the Following: a) Maximum Separation (> 23 feet) b) 23 feet
System to Property Line or Building Foundation	1	5 feet	Greatest of the Following: a) Maximum Setback (>2 feet) b) 2 feet

1-1-83 to Present

System to a Private Potable Well	6	75 feet	75 feet
Bottom of Drainfield Absorption Surface to Wet Season Water Table	5	24 inches	24 inches Greatest of the Following: a) Existing elevation (> 12 inches) b) 12 inches
Effective Soil Depth	5	42 inches	Greatest of the Following: a) Maximum Separation (>36 inches)

b) 36 inches

System to Surface Water	4	75 feet	Greatest of the Following: a) Maximum Setback (if >50 feet) b) 50 feet
System to Non-Potable Well	3	50 feet	50 feet
Drainfield Sidewall To Start of Slope	2	4 feet	<u>Greatest of the Following:</u> <u>a) Maximum setback (>24 feet</u> <u>b) 2 feet</u>
System to Property Line or Building Foundation	1	5 feet	Greatest of the Following: a) Maximum Setback (if >2 feet) b) 2 feet

Footnotes to Table V:

1. For sites which contain oolitic limestone, the minimum effective soil depth shall be 12 inches regardless of the date the original system was installed provided that the wet season water table is a minimum of 4 feet below the bottom surface of the drainfield.

2. Where severely limited soil underlies the drainfield, soil removal and replacement shall be performed as per Footnote 3. to Table III.

(b) Where the cause of system failure is determined to be from root clogging or physical damage of the distribution box or drainfield of a system, and where removal of the root mass and restoration of the damaged drainfield will restore the system to its original design function, upon permitting, inspection and verification of the repair work by the health unit, permit satisfaction will be considered to be achieved.

For systems permitted on or after January 1, 1983, if system failure is due to excessive hydraulic loading, the original permitted drainfield shall be allowed to remain in service but shall have additional drainfield added to it. The resulting system drainfield size shall be 50 percent larger than the drainfield originally permitted, or shall be in compliance with drainfield sizing criteria specified in Rules 64E-6.008 and 64E-6.009, F.A.C., whichever is larger.

(c) For systems receiving domestic wastewater and originally more than 10 years prior to the repair permit application date, Minimum sizing of drainfield repairs for residential systems installed prior to 1983 shall be based on the criteria specified below. Failed drainfields shall be replaced with drainfields of the same size as the existing drainfields or meeting the sizing criteria specified in Rules 64E-6.008 and 009, F.A.C., whichever is larger, at a minimum, the sizing criteria specified below.

1. If sufficient area is available, the existing drainfield can be left in place and used as part of the system. A new drainfield equal in size to, and separate from, the existing drainfield shall be added and flow directed to both the old and new drainfield.

2. Table VI and VII values are for subsurface and filled systems if the existing drainfield cannot be used as part of the repair. Mound trench systems shall be sized 10 percent larger than the values below and 20 percent larger if absorption beds are installed in the mound. The amount of drainfield installed during the repair shall not be less than the amount the system had prior to the repair.

TABLE VI
Residential Sizing for Slightly Limited Soil Textures

Number of Bedrooms	Square Feet of Trench Area	Square Feet of Absorption Bed
1	75	100
2	150	200
3	225	300
4	300	400
Add per bedroom	75	100

TABLE VII
Residential Sizing for Moderately Limited Soil Textures

Number of Bedrooms	Square Feet of Trench Area	Square Feet of Absorption Bed
1	100	125
2	200	250
3	300	375
4	400	500
Add per bedroom	100	125

(d) Repairs of systems receiving commercial wastewater ~~commercial systems installed prior to 1983~~ shall be based on the following criteria:

1. Sewage flows shall be determined from values found in Table I of Rule 64E-6.008, F.A.C., or on the highest monthly flow for the previous 18 month period from documented water use records, whichever is higher.

2. Drainfield loading shall not exceed 0.0015 pounds combined CBOD5 and TSS per square feet per day based on measured concentrations of treatment receptacle effluent samples and estimated sewage flow.

3. Drainfield loading shall not exceed the maximum loading rates in Rules 64E-6.008 and 009, F.A.C.

4. Portions of the existing drainfield that meet the requirements for system repairs and remain fundamentally in satisfactory operating condition may remain in service and have additional drainfield added to it.

5. The resulting drainfield following the repair shall not be smaller than the existing drainfield prior to the repair.

~~2. Failed drainfields shall at a minimum, meet the sizing criteria specified below:~~

~~a. If sufficient room is available, the existing drainfield can be left in place and used as part of the system. A new drainfield equal in size to, and separate from, the existing failed drainfield shall be added.~~

~~b. Sewage loading rates to trench or absorption bed bottom areas shall be in accordance with the values in Table VIII which are applicable to subsurface and filled drainfield systems if the existing drainfield is replaced with a new drainfield. Mound trench systems shall be sized 10 percent larger than the values below and 20 percent larger if absorption beds are installed in the mound.~~

TABLE VIII
Drainfield Sizing for Commercial Systems Installed
Prior to 1983
in gallons/square foot/day

	Trenches	Absorption Beds
Slightly limited textures	1.00	0.80
Moderately limited textures	0.65	0.50

~~(e) Where the cause of system failure is determined to be from root clogging of the distribution box or drainfield line of a system, and where removal of the root mass and replacement of damaged drainfield material will restore the system to its original design function, upon inspection and verification of the repair work by the health unit, permit satisfaction will be considered to be achieved.~~

~~(f) A tank need not be replaced as part of the repair if the health unit determines the tank to be structurally sound, constructed of approved materials, and if such tank has an effective capacity within two tank sizes of the capacities required by Table II. In addition, the tank shall be pumped and a solids deflection device shall be installed as a part of the outlet of the tank if one is not currently in place.~~

~~(g) Repairs to a system shall not be located within 2 feet of a sleeved and sealed potable water line or 2 feet from non-potable water lines.~~

~~(h) If the total drainfield area exceeds 1000 square feet, or if the tank is too low to permit gravity flow into the drainfield, the drainfield shall be dosed. The requirements of subsections 64E-6.014(3) and (4), F.A.C., shall be used for dosing requirements.~~

~~(i) Setbacks from an existing system to a public well shall not be decreased from existing setbacks, but shall be increased where practical to achieve the required setbacks as per paragraphs 64E-6.005(1)(b) and (c), F.A.C.~~

(g) A tank need not be replaced as part of the repair if the health department determines the tank to be free of observable defects or leaks, free of deformity, constructed of approved materials, and within two sizes of the capacities required by Table II. In addition, the tank shall be pumped and a solids deflection device shall be installed as a part of the outlet of the tank if one is not currently in place.

(76) If a repair cannot be made utilizing the standards in subsection (65) above, all available area for drainfield repair shall be assessed and the repair permit shall allow for the maximum size drainfield that can be accommodated in the available area while allowing for the system to be installed meeting the required separation from the above the wettest season water table. Obstructions and protected features placed in violation of original permit conditions shall be permanently removed to provide space for system repair. Total removal of the existing drainfield and replacement of the drainfield in its original location shall

be authorized if there is no additional area to enlarge the system. Setbacks to potable wells, and surface water bodies shall not be less than the absolute minimum setbacks in subsection (5), and other pertinent features which are less than the setbacks in subsection (6) above shall not be reduced below existing setbacks. Nothing in this section shall be construed to allow a drainfield from a system installed prior to 1983 to remain within 12 inches of in the wet season water table or to allow a drainfield from a system installed after 1982 to remain within 24 inches of the wet season water table. The appropriate requirements for bottom of drainfield absorption surface to wet season water table separation in Table V shall be adhered to in all repairs. Engineer-designed retention walls may be used to enclose a mound to maximize the quantity of drainfield installed. If the resulting drainfield is less than 75 percent of the drainfield required in subsection (5), aerobic treatment units and drip-emitter drainfield systems shall be required in order to meet, as closely as possible, the elevation, setback and sizing requirements of this section. Should the resulting drainfield be less than 60 percent of the drainfield required in subsection (6), a performance-based treatment system shall be required in order to meet, as closely as possible, the elevation, setback and sizing requirements of this section. The resulting drainfield following the repair shall not be smaller than the existing drainfield prior to the repair or smaller than 75% of the drainfield area required in sections 64E-6.008 and 009.

(8) If soil replacement is to be performed on any repair, the requirements of Footnote 3., Table III, shall be adhered to.

(9) System repairs shall be performed by persons who are qualified to do so as set forth in Part III of this rule.

(10) Except as provided for in subsection (7) above, the amount of drainfield installed during the repair shall not be less than the amount the system had prior to the repair.

(11) Subsection 64E-6.004(7), F.A.C., shall be used in conjunction with this section when permitting a repair in which the property has been divided after the original permit was issued.

(12) For inspection purposes when a drainfield is repaired using a physical disruption method, such as air injection, the contractor shall mark the location of each injection site in an easily identifiable manner. The county health department shall inspect repairs to determine that the absorption surface of the repaired drainfield meets the separation requirements from is at least six inches above the wettest season high water table, to determine the repair process was completed according to the information provided with the repair permit application and to determine the repair site is free of sanitary nuisance conditions.

(9) Any single drainfield trench or bed must consist entirely of the same drainfield product.

(10) If a drainfield fails less than 5 years after system installation, the repair shall include exposure of the entire distribution box or header pipe to allow inspection and verification that they are installed level.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065, 386.041 FS. History—New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00, 5-24-04, 11-26-06, 6-25-09, 4-28-10, ____.

Issue Number: 10-20
Subject: Operating Permit Inspection Report (form)
Date New: 10/19/2010
Date Initially Heard by TRAP:
Date Tabled by TRAP:
Date Initially Approved by TRAP:
Date Heard by Variance Committee:
Date of TRAP Final Recommendation:
TRAP Final Recommendation: no action (form)
Ready for Inclusion in Rule: YES

64E-6.003 Permits.

(1) No change

(2) System Inspection – Before covering with earth and before placing a system into service, a person installing or constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the completion of the construction activities and shall have the system inspected by the department for compliance with the requirements of this chapter, except as noted in subsection 64E-6.003(3), F.A.C., for repair installations.

(a) through (d) No change

(e) Systems which are required to have an annual or biennial operating permit and the structures which they serve shall be inspected by the department at least once per year during the term of the permit to determine compliance with the terms of the operating permit. [Form DH XXXX, \(6/10\), herein incorporated by reference, shall be used to record the inspection results.](#)

(3) through (7) No change

Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 5-24-04, 11-26-06, 6-25-09, 4-1-10, 4-28-10, ____.

Issue Number: 10-21
Subject: DEP/DOH Interagency Agreement
Date New: 11/9/2010
Date Initially Heard by TRAP: 12/2/2010
Date Tabled by TRAP:
Date Initially Approved by TRAP: 12/2/2010
Date Heard by Variance Committee: 7/7/2011
Date of TRAP Final Recommendation: 10/11/2011
TRAP Final Recommendation: approve
Ready for Inclusion in Rule: YES

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64E-6.001 General.

(1) The provisions of Part I of this chapter shall apply to all areas of the state except where specific provisions of law or other parts of this chapter provide a specific exemption or modification to those provisions. The provisions of this chapter must be used in conjunction with Chapter 381, ~~and~~ Part III, Chapter 489, F.S., [and the Interagency Agreement Between The Department of Environmental Protection and The Department of Health for Onsite Sewage Treatment and Disposal Systems, September 10, 2001, herein incorporated by reference.](#)

(2) through (7) No change

Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 5-24-04, 11-26-06, 6-25-09, 4-28-10,_____.

Issue Number: 11-01
Subject: Drainlines the same length
Date New: 7/12/2011
Date Initially Heard by TRAP: 10/11/2011
Date Tabled by TRAP:
Date Initially Approved by TRAP: 10/11/2011
Date Heard by Variance Committee: 11/3/2011
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

10/11/2011 TRAP passed to Variance committee

11/3/2011 Variance Committee comments: SHO-ok; DEP-I like the change.; CHD-ok; ENG-I like 'as near as practical'; HBI-no comment;REI-15 feet is better; STI-on on these two systems (lift dose and gravity) if it is 15 ft instead of 10 ft but not on low volume dosing systems.

1 **64E-6.014 Construction Standards for Drainfield Systems.**

2 (1) through (4) No change

3 (5) Drain trenches and absorption beds – drain trenches and absorption beds are the standard subsurface drainfield systems
4 used for disposing of effluent from septic tanks or other sewage waste receptacles. When used, these systems shall be
5 constructed as specified below.

6 (a) through (h) No change

7 (i) The maximum length of drain lines shall not exceed 100 feet for all gravity-fed and lift-dosed drainfields, and where
8 two or more drain lines are used, the lengths of all of the drain lines shall vary by no more than 10 feet.~~they shall be, as near as~~
9 ~~practical, the same length.~~ The ends of two or more drain lines in bed and mound systems shall be connected to produce a
10 continuous circuit. A continuous circuit arrangement is also recommended but not required for standard drain trench systems.
11 However, when a continuous circuit arrangement is not used, the distal ends of the drain lines shall be capped or sealed.

12 (j) through (k) No change

13 (6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at
14 www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

15 *Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 FS. History–New 12-22-82, Amended 2-5-85, Formerly*
16 *10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 5-24-04, 11-26-06, 6-25-09, ____.*

Issue Number: 11-02

Subject: Expiration of permits between Construction Approval and Final Approval

Date New: 7/28/2011

Date Initially Heard by TRAP: 10/11/2011

Date Tabled by TRAP:

Date Initially Approved by TRAP: 10/11/2011

Date Heard by Variance Committee: 11/3/2011

Date of TRAP Final Recommendation:

TRAP Final Recommendation:

Ready for Inclusion in Rule: NO

Issue Development Notes:

10/11/2011 TRAP passed to variance committee

11/3/2011 Variance Committee comments: SHO-Very bad idea. Open ended timeframe. Limit time, address actual issue, not broadbase like this.; DEP-I like the intent as exemplified. But as written, too many additional situations can fall under this new rule section meaning.; CHD-need to set the limits. Limit to system sizing only. Original language was to keep people from having to add drainfield due to the change in the loading rates.; ENG-What stage of approval? Construction of systems complete, covered maybe sod stabilization not complete, ok to repermit? As is?; HBI-No!; REI-ok; STI-Good idea, will stop a lot of confusion.

1 | **64E-6.003 Permits.**

2 | (1) through (5) No change

3 | (6) Expired Permits - Any new construction or modification permit issued by the department
4 | ~~with an expiration date of September 1, 2008, through December 31, 2009,~~ that ~~has~~ received
5 | construction approval on or after March 22, 2002, but has not received final ~~not final~~ approval
6 | may be approved provided all of the following conditions are met:

7 | 1. The applicant or agent provides a written statement that there have been no changes in
8 | application or site conditions from the original permit. The statement must specifically address
9 | any changes on adjacent lots. If there are any changes a site re-evaluation is required.

10 | 2. Fees for a new construction permit and the research surcharge are paid. A site re-
11 | evaluation fee is paid, if applicable. A new permit shall be issued under the rules under which
12 | the original permit was issued.

13 | 3. A final system inspection is performed showing compliance with all rules under which the
14 | construction approval was granted. If applicable, a system re-inspection fee is paid.

15 | (7) No change

16 | *Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065,*
17 | *381.0067, 386.041 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended*
18 | *3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 5-24-04,*
19 | *11-26-06, 6-25-09, 4-1-10, 4-28-10,_____.*

20

Issue Number: 11-03
Subject: Land application on Phosphorous-limited areas
Date New: 8/16/2011
Date Initially Heard by TRAP: 10/11/2011
Date Tabled by TRAP:
Date Initially Approved by TRAP: 10/11/2011
Date Heard by Variance Committee: 11/3/2011
Date of TRAP Final Recommendation:
TRAP Final Recommendation:
Ready for Inclusion in Rule: NO

Issue Development Notes:

10/11/2011 TRAP passed to variance committee.

11/3/2011 Variance Committee comments: SHO-ok; DEP-ok; CHD-ok; ENG-good; HBI-ok; REI-ok; STI-ok.

1 **64E-6.010 Septage and Food Establishment Sludge.**

2 (1) through (6) No change

3 (7) The food establishment sludge and contents from onsite waste disposal systems shall be disposed of at a site approved
4 by the DOH county health department and by an approved disposal method. Untreated domestic septage or food establishment
5 sludges shall not be applied to the land. Criteria for approved stabilization methods and the subsequent land application of
6 domestic septage or other domestic onsite wastewater sludges shall be in accordance with the following criteria for land
7 application and disposal of domestic septage.

8 (a) No change

9 (b) No land application of stabilized septage or food service sludge may occur until:

10 1. The site has been inspected and approved by department personnel.

11 2. The site evaluation fee has been submitted.

12 3. An Agricultural Use Plan, Form DH 4012A, 08/1109, herein incorporated by reference, has been completed for the
13 proposed application site.

14 a. through b. No change

15 4. The plan has been submitted for review and approval to the DOH county health department having jurisdiction.

16 5. The DOH county health department has granted approval to use the site.

17 (c) through (p) No change

18 (q) Unless required by law to be limited by phosphorous, application rates of septage and food establishment sludges are
19 limited by the nitrogen content of the waste.

20 1. Where the application rate is limited by nitrogen content, the maximum annual surface application rate of total nitrogen
21 is 500 pounds per acre during any 12-month period. Application of septage shall be applied as evenly as possible during the 12
22 month period to ensure maximum uptake of nitrogen by the crops used. This equates to 6 dry tons or 40,000 gallons of typical
23 septage per acre per year. However, if the following formula, based on the annual uptake of nitrogen for a given crop is used,
24 the 40,000 gallons of septage applied per acre per year shall be increased if the nitrogen content of the septage will not exceed
25 the nitrogen uptake of the crop.

26
$$AAR = N \div 0.0026$$

27 AAR is the annual application rate in gallons per acre per 365 day period; and N equals the amount of nitrogen in pounds per
28 acre per 365 day period needed by the crop or vegetation grown on the land. Application methods shall be conducted in a
29 manner which will disperse the treated septage uniformly over the land application site.

30 2. Where the law requires the land application of septage to be limited based on phosphorous, rate is limited by
31 phosphorous, the land application of septage, food establishment sludge, portable restroom waste or any other waste from any
32 system regulated under this Chapter, is prohibited. ~~the maximum annual surface application rate of total phosphorous is 40~~
33 ~~pounds per acre during any 12 month period. Application of septage shall be applied as evenly as possible during the 12 month~~
34 ~~period to ensure maximum uptake of phosphorous by the crops used. This equates to 2 dry tons or 12,000 gallons of typical~~
35 ~~septage per year. However, if the following formula, based on the annual uptake of phosphorous for a given crop is used, the~~
36 ~~12,000 gallons of septage applied per acre per year shall be increased if the phosphorous content of the septage will not exceed~~
37 ~~the phosphorous demand of the crop.~~

38 ~~$$AAR = P \div 0.0076 \text{ if the crop demand is calculated for } P_2O_5.$$~~

39 ~~$$AAR = P \div 0.0033 \text{ if the crop demand is calculated for } P.$$~~

40 ~~AAR is the annual application rate in gallons per acre per 365 day period; and P equals the Crop Phosphorous Demand in~~
41 ~~pounds per acre per 365 day period calculated for the crop or vegetation grown on the land. Application methods shall be~~
42 ~~conducted in a manner which will disperse the treated septage uniformly over the land application site.~~

43 (r) through (v) No change

44 (8) through (10) No change

45 *Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 386.041, 373.4595 FS. History—New 12-22-*
46 *82, Amended 2-5-85, Formerly 10D-6.52, Amended 3-17-92, 1-3-95, 5-14-96, Formerly 10D-6.052, Amended 3-22-00, 5-24-*
47 *04, 11-26-06, 6-25-09, 4-29-10 ____.*