

hbd-08

Bill No. CS/HB 1755

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Gay offered the following:

**Amendment to Amendment (392851) (with title amendment)**

On page 17, between lines 30 and 31, of the amendment

insert:

Section 5. Section 6 of chapter 99-395, Laws of Florida, is amended to read:

Section 6. Sewage requirements in Monroe County.--

(1) The provisions of this section apply to all sewage treatment, reuse, and disposal facilities and all onsite sewage treatment and disposal systems in Monroe County, except as provided in subsection (8):

(2) No new or expanded discharges shall be allowed into surface waters.

(3) Existing surface water discharges shall be eliminated before July 1, 2006.

(4) Existing sewage facilities that discharge to other than surface waters and existing onsite sewage treatment and disposal systems shall cease discharge or shall comply with the applicable treatment requirements of subsection (6) by

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1 July 1, 2010, and with the rules of the Department of  
2 Environmental Protection or the Department of Health, as  
3 applicable.

4 (5) All new or expanded discharges into other than  
5 surface waters and all onsite sewage treatment and disposal  
6 systems permitted after the effective date of this act shall  
7 comply with the requirements of subsection (6) and with the  
8 rules of the Department of Environmental Protection or the  
9 Department of Health, as applicable.

10 (6)(a) Sewage facilities with design capacities  
11 greater than or equal to 100,000 gallons per day that do not  
12 discharge to surface waters shall provide basic disinfection  
13 as defined by Department of Environmental Protection rule and  
14 the level of treatment that will produce an effluent that  
15 contains not more, on a permitted annual average basis, than  
16 the following concentrations:

- 17 1. Biochemical Oxygen Demand (CBOD5) of 5 mg/l.
- 18 2. Suspended Solids of 5 mg/l.
- 19 3. Total Nitrogen, expressed as N, of 3 mg/l.
- 20 4. Total Phosphorus, expressed as P, of 1 mg/l.

21 (b) Sewage facilities with design capacities less than  
22 100,000 gallons per day that do not discharge to surface  
23 waters shall provide basic disinfection as defined by  
24 Department of Environmental Protection rule and the level of  
25 treatment that will produce an effluent that contains not  
26 more, on a permitted annual average basis, than the following  
27 concentrations:

- 28 1. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.
- 29 2. Suspended Solids of 10 mg/l.
- 30 3. Total Nitrogen, expressed as N, of 10 mg/l.
- 31 4. Total Phosphorus, expressed as P, of 1 mg/l.

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1 (c) Onsite sewage treatment and disposal systems shall  
2 provide the level of treatment that will produce an effluent  
3 that contains not more, on a permitted annual average basis,  
4 than the following concentrations:

- 5 1. Biochemical Oxygen Demand (CBOD5) of 10 mg/l.
- 6 2. Suspended Solids of 10 mg/l.
- 7 3. Total Nitrogen, expressed as N, of 10 mg/l.
- 8 4. Total Phosphorus, expressed as P, of 1 mg/l.

9  
10 In addition, onsite sewage treatment and disposal systems  
11 discharging to injection wells shall provide basic  
12 disinfection as defined by Department of Health rule.

13 (7) Class V injection wells, as defined by Department  
14 of Environmental Protection or Department of Health rule,  
15 shall meet the following requirements and shall otherwise  
16 comply with Department of Environmental Protection or  
17 Department of Health rules, as applicable:

18 (a) If the design capacity of the facility is less  
19 than 1,000,000 gallons per day, the injection well shall be at  
20 least 90 feet deep and cased to a minimum depth of 60 feet or  
21 to such greater cased depth and total well depth as may be  
22 required by Department of Environmental Protection rule.

23 (b) If the design capacity of the facility is equal to  
24 or greater than 1,000,000 gallons per day, the injection well  
25 shall be cased to a minimum depth of 2,000 feet or to such  
26 greater depth as may be required by Department of  
27 Environmental Protection rule.

28 (8) The requirements of subsections (2)-(7) do not  
29 apply to the following:

30 (a) Class 1 injection wells as defined by Department  
31 of Environmental Protection rule, including any authorized

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1 mechanical integrity tests.

2 (b) Authorized mechanical integrity tests associated  
3 with Class V wells as defined by Department of Environmental  
4 Protection rule.

5 (c) The following types of reuse systems authorized by  
6 Department of Environmental Protection domestic wastewater  
7 rules:

- 8 1. Slow-rate land application systems;
- 9 2. Industrial uses of reclaimed water; and
- 10 3. Use of reclaimed water for toilet flushing, fire  
11 protection, vehicle washing, construction dust control, and  
12 decorative water features.

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14 However, disposal systems serving as backups to reuse systems  
15 shall comply with the other provisions of this act.

16 (d) In areas that are scheduled to be served by a  
17 central sewage facility before July 1, 2010, interim  
18 construction standards for new, expanded, or existing onsite  
19 sewage treatment and disposal systems shall be allowed. An  
20 area shall only be considered as scheduled to be served by a  
21 central sewage facility where such facility is supported by a  
22 binding and specific federal or state appropriation, federal  
23 agency grant, or construction contract.

24 1. Interim construction standards for new onsite  
25 sewage treatment and disposal systems in such areas shall  
26 include an aerobic treatment unit, and the system shall  
27 produce on a permitted annual average basis an effluent that  
28 contains no more than a concentration of 1 mg/l of Total  
29 Phosphorus, expressed as P.

30 2. Interim construction standards for expansion of  
31 approved existing onsite sewage treatment and disposal systems

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1 in such areas that include a septic tank shall be retrofitted  
2 with an approved outlet filter device. If the approved  
3 existing onsite sewage treatment and disposal system includes  
4 a drainfield, the existing drainfield shall be replaced with a  
5 drainfield having a design effluent loading rate not exceeding  
6 1.2 gallons per square foot per day and shall have 1 foot of  
7 approved nutrient reducing material underlying the entire area  
8 of the drainfield. If the approved existing onsite sewage  
9 treatment and disposal system includes an injection well, the  
10 system shall include basic disinfection as defined by  
11 Department of Health rule, and produce on a permitted annual  
12 average basis an effluent that contains no more than a  
13 concentration of 1 mg/l of Total Phosphorus, expressed as P.

14 3. Interim construction standards for cesspits or  
15 undocumented systems in such areas that require an existing  
16 system approval shall be defined by rule of the Department of  
17 Health.

18 (9) If it is demonstrated that a discharge, even if it  
19 is otherwise in compliance with this act or chapter 403,  
20 Florida Statutes, will cause or contribute to a violation of  
21 state water quality standards, the Department of Environmental  
22 Protection shall:

- 23 (a) Require more stringent effluent limitations;  
24 (b) Order the point or method of discharge changed;  
25 (c) Limit the duration or volume of the discharge; or  
26 (d) Prohibit the discharge.

27 (10) All sewage treatment facilities shall monitor  
28 effluent for total nitrogen and total phosphorus concentration  
29 as required by Department of Environmental Protection rule  
30 beginning October 1, 1999. All onsite sewage treatment and  
31 disposal systems issued a construction permit after the

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1 effective date of this act shall be monitored for total  
2 nitrogen and total phosphorus concentrations as required by  
3 Department of Health rule.

4 (11) The Department of Environmental Protection shall  
5 require the levels of operator certification and staffing  
6 necessary to ensure proper operation and maintenance of sewage  
7 facilities. The Department of Health shall ensure proper  
8 operation and maintenance of onsite sewage treatment and  
9 disposal systems.

10 (12) The Department of Environmental Protection and  
11 the Department of Health shall adopt rules necessary to carry  
12 out the provisions of this act.

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 19, line 24, of the amendment

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19 after the semicolon, insert:

20 providing an exemption from certain sewage  
21 treatment and disposal system requirements in  
22 Monroe County for areas scheduled to be served  
23 by a central sewage facility by a specified  
24 date; providing requirements for interim  
25 construction standards;

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