

1
2 An act relating to onsite sewage treatment and
3 disposal systems; amending s. 381.0065, F.S.;
4 providing for regulation by the Department of
5 Health of maintenance entities for
6 performance-based treatment systems and aerobic
7 treatment unit systems; requiring such systems
8 to contract with a permitted maintenance
9 entity; providing duties of such entities;
10 providing for biennial operating permits for
11 aerobic treatment units; revising duties of the
12 department; amending s. 381.0066, F.S.;
13 reducing the operating permit fee for aerobic
14 treatment units and providing operating permit
15 and maintenance entity permit fees for
16 performance-based treatment systems; providing
17 for review of the need for licensing the
18 portable restroom industry; requiring a report
19 to the Legislature; providing an effective
20 date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Paragraph (n) is added to subsection (3) of
25 section 381.0065, Florida Statutes, and subsection (4) of said
26 section is amended, to read:

27 381.0065 Onsite sewage treatment and disposal systems;
28 regulation.--

29 (3) DUTIES AND POWERS OF THE DEPARTMENT OF
30 HEALTH.--The department shall:

31

1 (n) Regulate and permit maintenance entities for
2 performance-based treatment systems and aerobic treatment unit
3 systems. To ensure systems are maintained and operated
4 according to manufacturer's specifications and designs, the
5 department shall establish by rule minimum qualifying criteria
6 for maintenance entities. The criteria shall include:
7 training, access to approved spare parts and components,
8 access to manufacturer's maintenance and operation manuals,
9 and service response time. The maintenance entity shall employ
10 a contractor licensed under s. 489.105(3)(m), or part III of
11 chapter 489, or a state-licensed wastewater plant operator,
12 who is responsible for maintenance and repair of all systems
13 under contract.

14 (4) PERMITS; INSTALLATION; AND CONDITIONS.--A person
15 may not construct, repair, modify, abandon, or operate an
16 onsite sewage treatment and disposal system without first
17 obtaining a permit approved by the department. The department
18 may issue permits to carry out this section, but shall not
19 make the issuance of such permits contingent upon prior
20 approval by the Department of Environmental Protection. A
21 construction permit is valid for 18 months from the issuance
22 date and may be extended by the department for one 90-day
23 period under rules adopted by the department. A repair permit
24 is valid for 90 days from the date of issuance. An operating
25 permit must be obtained prior to the use of any aerobic
26 treatment unit or if the establishment generates commercial
27 waste. Buildings or establishments that use an aerobic
28 treatment unit or generate commercial waste shall be inspected
29 by the department at least annually to assure compliance with
30 the terms of the operating permit. The operating permit for a
31 commercial wastewater system is valid for 1 year from the date

1 of issuance and must be renewed annually. The operating permit
2 for an aerobic treatment unit is valid for 2 years from the
3 date of issuance and must be renewed every 2 years. If all
4 information pertaining to the siting, location, and
5 installation conditions or repair of an onsite sewage
6 treatment and disposal system remains the same, a construction
7 or repair permit for the onsite sewage treatment and disposal
8 system may be transferred to another person, if the transferee
9 files, within 60 days after the transfer of ownership, an
10 amended application providing all corrected information and
11 proof of ownership of the property. There is no fee
12 associated with the processing of this supplemental
13 information. A person may not contract to construct, modify,
14 alter, repair, service, abandon, or maintain any portion of an
15 onsite sewage treatment and disposal system without being
16 registered under part III of chapter 489. A property owner
17 who personally performs construction, maintenance, or repairs
18 to a system serving his or her own owner-occupied
19 single-family residence is exempt from registration
20 requirements for performing such construction, maintenance, or
21 repairs on that residence, but is subject to all permitting
22 requirements. A municipality or political subdivision of the
23 state may not issue a building or plumbing permit for any
24 building that requires the use of an onsite sewage treatment
25 and disposal system unless the owner or builder has received a
26 construction permit for such system from the department. A
27 building or structure may not be occupied and a municipality,
28 political subdivision, or any state or federal agency may not
29 authorize occupancy until the department approves the final
30 installation of the onsite sewage treatment and disposal
31 system. A municipality or political subdivision of the state

1 may not approve any change in occupancy or tenancy of a
2 building that uses an onsite sewage treatment and disposal
3 system until the department has reviewed the use of the system
4 with the proposed change, approved the change, and amended the
5 operating permit.

6 (a) Subdivisions and lots in which each lot has a
7 minimum area of at least one-half acre and either a minimum
8 dimension of 100 feet or a mean of at least 100 feet of the
9 side bordering the street and the distance formed by a line
10 parallel to the side bordering the street drawn between the
11 two most distant points of the remainder of the lot may be
12 developed with a water system regulated under s. 381.0062 and
13 onsite sewage treatment and disposal systems, provided the
14 projected daily sewage flow does not exceed an average of
15 1,500 gallons per acre per day, and provided satisfactory
16 drinking water can be obtained and all distance and setback,
17 soil condition, water table elevation, and other related
18 requirements of this section and rules adopted under this
19 section can be met.

20 (b) Subdivisions and lots using a public water system
21 as defined in s. 403.852 may use onsite sewage treatment and
22 disposal systems, provided there are no more than four lots
23 per acre, provided the projected daily sewage flow does not
24 exceed an average of 2,500 gallons per acre per day, and
25 provided that all distance and setback, soil condition, water
26 table elevation, and other related requirements that are
27 generally applicable to the use of onsite sewage treatment and
28 disposal systems are met.

29 (c) Notwithstanding the provisions of paragraphs (a)
30 and (b), for subdivisions platted of record on or before
31 October 1, 1991, when a developer or other appropriate entity

1 has previously made or makes provisions, including financial
2 assurances or other commitments, acceptable to the Department
3 of Health, that a central water system will be installed by a
4 regulated public utility based on a density formula, private
5 potable wells may be used with onsite sewage treatment and
6 disposal systems until the agreed-upon densities are reached.
7 The department may consider assurances filed with the
8 Department of Business and Professional Regulation under
9 chapter 498 in determining the adequacy of the financial
10 assurance required by this paragraph. In a subdivision
11 regulated by this paragraph, the average daily sewage flow may
12 not exceed 2,500 gallons per acre per day. This section does
13 not affect the validity of existing prior agreements. After
14 October 1, 1991, the exception provided under this paragraph
15 is not available to a developer or other appropriate entity.

16 (d) Paragraphs (a) and (b) do not apply to any
17 proposed residential subdivision with more than 50 lots or to
18 any proposed commercial subdivision with more than 5 lots
19 where a publicly owned or investor-owned sewerage system is
20 available. It is the intent of this paragraph not to allow
21 development of additional proposed subdivisions in order to
22 evade the requirements of this paragraph. The department
23 shall report to the Legislature by February 1 of each
24 odd-numbered year concerning the success in meeting this
25 intent.

26 (e) Onsite sewage treatment and disposal systems must
27 not be placed closer than:

- 28 1. Seventy-five feet from a private potable well.
- 29 2. Two hundred feet from a public potable well serving
30 a residential or nonresidential establishment having a total
31 sewage flow of greater than 2,000 gallons per day.

1 3. One hundred feet from a public potable well serving
2 a residential or nonresidential establishment having a total
3 sewage flow of less than or equal to 2,000 gallons per day.

4 4. Fifty feet from any nonpotable well.

5 5. Ten feet from any storm sewer pipe, to the maximum
6 extent possible, but in no instance shall the setback be less
7 than 5 feet.

8 6. Seventy-five feet from the mean high-water line of
9 a tidally influenced surface water body.

10 7. Seventy-five feet from the normal annual flood line
11 of a permanent nontidal surface water body.

12 8. Fifteen feet from the design high-water line of
13 retention areas, detention areas, or swales designed to
14 contain standing or flowing water for less than 72 hours after
15 a rainfall or the design high-water level of normally dry
16 drainage ditches or normally dry individual lot stormwater
17 retention areas.

18 (f) Except as provided under paragraphs (e) and (t),
19 no limitations shall be imposed by rule, relating to the
20 distance between an onsite disposal system and any area that
21 either permanently or temporarily has visible surface water.

22 (g) All provisions of this section and rules adopted
23 under this section relating to soil condition, water table
24 elevation, distance, and other setback requirements must be
25 equally applied to all lots, with the following exceptions:

26 1. Any residential lot that was platted and recorded
27 on or after January 1, 1972, or that is part of a residential
28 subdivision that was approved by the appropriate permitting
29 agency on or after January 1, 1972, and that was eligible for
30 an onsite sewage treatment and disposal system construction
31 permit on the date of such platting and recording or approval

1 shall be eligible for an onsite sewage treatment and disposal
2 system construction permit, regardless of when the application
3 for a permit is made. If rules in effect at the time the
4 permit application is filed cannot be met, residential lots
5 platted and recorded or approved on or after January 1, 1972,
6 shall, to the maximum extent possible, comply with the rules
7 in effect at the time the permit application is filed. At a
8 minimum, however, those residential lots platted and recorded
9 or approved on or after January 1, 1972, but before January 1,
10 1983, shall comply with those rules in effect on January 1,
11 1983, and those residential lots platted and recorded or
12 approved on or after January 1, 1983, shall comply with those
13 rules in effect at the time of such platting and recording or
14 approval. In determining the maximum extent of compliance
15 with current rules that is possible, the department shall
16 allow structures and appurtenances thereto which were
17 authorized at the time such lots were platted and recorded or
18 approved.

19 2. Lots platted before 1972 are subject to a 50-foot
20 minimum surface water setback and are not subject to lot size
21 requirements. The projected daily flow for onsite sewage
22 treatment and disposal systems for lots platted before 1972
23 may not exceed:

24 a. Two thousand five hundred gallons per acre per day
25 for lots served by public water systems as defined in s.
26 403.852.

27 b. One thousand five hundred gallons per acre per day
28 for lots served by water systems regulated under s. 381.0062.

29 (h)1. The department may grant variances in hardship
30 cases which may be less restrictive than the provisions
31 specified in this section. If a variance is granted and the

1 onsite sewage treatment and disposal system construction
2 permit has been issued, the variance may be transferred with
3 the system construction permit, if the transferee files,
4 within 60 days after the transfer of ownership, an amended
5 construction permit application providing all corrected
6 information and proof of ownership of the property and if the
7 same variance would have been required for the new owner of
8 the property as was originally granted to the original
9 applicant for the variance. There is no fee associated with
10 the processing of this supplemental information. A variance
11 may not be granted under this section until the department is
12 satisfied that:

13 a. The hardship was not caused intentionally by the
14 action of the applicant;

15 b. No reasonable alternative, taking into
16 consideration factors such as cost, exists for the treatment
17 of the sewage; and

18 c. The discharge from the onsite sewage treatment and
19 disposal system will not adversely affect the health of the
20 applicant or the public or significantly degrade the
21 groundwater or surface waters.

22

23 Where soil conditions, water table elevation, and setback
24 provisions are determined by the department to be
25 satisfactory, special consideration must be given to those
26 lots platted before 1972.

27 2. The department shall appoint and staff a variance
28 review and advisory committee, which shall meet monthly to
29 recommend agency action on variance requests. The committee
30 shall make its recommendations on variance requests at the
31 meeting in which the application is scheduled for

1 consideration, except for an extraordinary change in
2 circumstances, the receipt of new information that raises new
3 issues, or when the applicant requests an extension. The
4 committee shall consider the criteria in subparagraph 1. in
5 its recommended agency action on variance requests and shall
6 also strive to allow property owners the full use of their
7 land where possible. The committee consists of the following:
8 a. The Division Director for Environmental Health of
9 the department or his or her designee.
10 b. A representative from the county health
11 departments.
12 c. A representative from the home building industry
13 recommended by the Florida Home Builders Association.
14 d. A representative from the septic tank industry
15 recommended by the Florida Onsite Wastewater ~~Septic Tank~~
16 Association.
17 e. A representative from the Department of
18 Environmental Protection.
19 f. A representative from the real estate industry who
20 is also a developer in this state who develops lots using
21 onsite sewage treatment and disposal systems, recommended by
22 the Florida Association of Realtors.
23 g. A representative from the engineering profession
24 recommended by the Florida Engineering Society.
25
26 Members shall be appointed for a term of 3 years, with such
27 appointments being staggered so that the terms of no more than
28 two members expire in any one year. Members shall serve
29 without remuneration, but if requested, shall be reimbursed
30 for per diem and travel expenses as provided in s. 112.061.
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1 (i) A construction permit may not be issued for an
2 onsite sewage treatment and disposal system in any area zoned
3 or used for industrial or manufacturing purposes, or its
4 equivalent, where a publicly owned or investor-owned sewage
5 treatment system is available, or where a likelihood exists
6 that the system will receive toxic, hazardous, or industrial
7 waste. An existing onsite sewage treatment and disposal
8 system may be repaired if a publicly owned or investor-owned
9 sewerage system is not available within 500 feet of the
10 building sewer stub-out and if system construction and
11 operation standards can be met. This paragraph does not
12 require publicly owned or investor-owned sewerage treatment
13 systems to accept anything other than domestic wastewater.

14 1. A building located in an area zoned or used for
15 industrial or manufacturing purposes, or its equivalent, when
16 such building is served by an onsite sewage treatment and
17 disposal system, must not be occupied until the owner or
18 tenant has obtained written approval from the department. The
19 department shall not grant approval when the proposed use of
20 the system is to dispose of toxic, hazardous, or industrial
21 wastewater or toxic or hazardous chemicals.

22 2. Each person who owns or operates a business or
23 facility in an area zoned or used for industrial or
24 manufacturing purposes, or its equivalent, or who owns or
25 operates a business that has the potential to generate toxic,
26 hazardous, or industrial wastewater or toxic or hazardous
27 chemicals, and uses an onsite sewage treatment and disposal
28 system that is installed on or after July 5, 1989, must obtain
29 an annual system operating permit from the department. A
30 person who owns or operates a business that uses an onsite
31 sewage treatment and disposal system that was installed and

1 approved before July 5, 1989, need not obtain a system
2 operating permit. However, upon change of ownership or
3 tenancy, the new owner or operator must notify the department
4 of the change, and the new owner or operator must obtain an
5 annual system operating permit, regardless of the date that
6 the system was installed or approved.

7 3. The department shall periodically review and
8 evaluate the continued use of onsite sewage treatment and
9 disposal systems in areas zoned or used for industrial or
10 manufacturing purposes, or its equivalent, and may require the
11 collection and analyses of samples from within and around such
12 systems. If the department finds that toxic or hazardous
13 chemicals or toxic, hazardous, or industrial wastewater have
14 been or are being disposed of through an onsite sewage
15 treatment and disposal system, the department shall initiate
16 enforcement actions against the owner or tenant to ensure
17 adequate cleanup, treatment, and disposal.

18 (j) An onsite sewage treatment and disposal system for
19 a single-family residence that is designed by a professional
20 engineer registered in the state and certified by such
21 engineer as complying with performance criteria adopted by the
22 department must be approved by the department subject to the
23 following:

24 1. The performance criteria applicable to
25 engineer-designed systems must be limited to those necessary
26 to ensure that such systems do not adversely affect the public
27 health or significantly degrade the groundwater or surface
28 water. Such performance criteria shall include consideration
29 of the quality of system effluent, the proposed total sewage
30 flow per acre, wastewater treatment capabilities of the
31 natural or replaced soil, water quality classification of the

1 potential surface-water-receiving body, and the structural and
2 maintenance viability of the system for the treatment of
3 domestic wastewater. However, performance criteria shall
4 address only the performance of a system and not a system's
5 design.

6 2. The technical review and advisory panel shall
7 assist the department in the development of performance
8 criteria applicable to engineer-designed systems. Workshops
9 on the development of the rules delineating such criteria
10 shall commence not later than September 1, 1996, and the
11 department shall advertise such rules for public hearing no
12 later than October 1, 1997.

13 3. A person electing to utilize an engineer-designed
14 system shall, upon completion of the system design, submit
15 such design, certified by a registered professional engineer,
16 to the county health department. The county health department
17 may utilize an outside consultant to review the
18 engineer-designed system, with the actual cost of such review
19 to be borne by the applicant. Within 5 working days after
20 receiving an engineer-designed system permit application, the
21 county health department shall request additional information
22 if the application is not complete. Within 15 working days
23 after receiving a complete application for an
24 engineer-designed system, the county health department either
25 shall issue the permit or, if it determines that the system
26 does not comply with the performance criteria, shall notify
27 the applicant of that determination and refer the application
28 to the department for a determination as to whether the system
29 should be approved, disapproved, or approved with
30 modification. The department engineer's determination shall
31 prevail over the action of the county health department. The

1 applicant shall be notified in writing of the department's
2 determination and of the applicant's rights to pursue a
3 variance or seek review under the provisions of chapter 120.

4 4. The owner of an engineer-designed performance-based
5 system must maintain a current maintenance service agreement
6 with a maintenance entity permitted by the department. The
7 maintenance entity shall obtain a biennial ~~an annual~~ system
8 operating permit from the department for each system under
9 service contract. The department shall inspect the system at
10 least annually, or on such periodic basis as the fee collected
11 permits, and may collect system-effluent samples if
12 appropriate to determine compliance with the performance
13 criteria. The fee for the biennial ~~annual~~ operating permit
14 shall be collected beginning with the second year of system
15 operation. The maintenance entity shall inspect each system at
16 least twice each year and shall report quarterly to the
17 department on the number of systems inspected and serviced.

18 5. If an engineer-designed system fails to properly
19 function or fails to meet performance standards, the system
20 shall be re-engineered, if necessary, to bring the system into
21 compliance with the provisions of this section.

22 (k) An innovative system may be approved in
23 conjunction with an engineer-designed site-specific system
24 which is certified by the engineer to meet the
25 performance-based criteria adopted by the department.

26 (1) For the Florida Keys, the department shall adopt a
27 special rule for the construction, installation, modification,
28 operation, repair, maintenance, and performance of onsite
29 sewage treatment and disposal systems which considers the
30 unique soil conditions and which considers water table
31 elevations, densities, and setback requirements. On lots

1 where a setback distance of 75 feet from surface waters,
2 saltmarsh, and buttonwood association habitat areas cannot be
3 met, an injection well, approved and permitted by the
4 department, may be used for disposal of effluent from onsite
5 sewage treatment and disposal systems.

6 (m) No product sold in the state for use in onsite
7 sewage treatment and disposal systems may contain any
8 substance in concentrations or amounts that would interfere
9 with or prevent the successful operation of such system, or
10 that would cause discharges from such systems to violate
11 applicable water quality standards. The department shall
12 publish criteria for products known or expected to meet the
13 conditions of this paragraph. In the event a product does not
14 meet such criteria, such product may be sold if the
15 manufacturer satisfactorily demonstrates to the department
16 that the conditions of this paragraph are met.

17 (n) Evaluations for determining the seasonal
18 high-water table elevations or the suitability of soils for
19 the use of a new onsite sewage treatment and disposal system
20 shall be performed by department personnel, professional
21 engineers registered in the state, or such other persons with
22 expertise, as defined by rule, in making such evaluations.
23 Evaluations for determining mean annual flood lines shall be
24 performed by those persons identified in paragraph (2)(i). The
25 department shall accept evaluations submitted by professional
26 engineers and such other persons as meet the expertise
27 established by this section or by rule unless the department
28 has a reasonable scientific basis for questioning the accuracy
29 or completeness of the evaluation.

30 (o) The department shall appoint a research review and
31 advisory committee, which shall meet at least semiannually.

1 The committee shall advise the department on directions for
2 new research, review and rank proposals for research
3 contracts, and review draft research reports and make
4 comments. The committee is comprised of:

- 5 1. A representative of the Division of Environmental
6 Health of the Department of Health.
- 7 2. A representative from the septic tank industry.
- 8 3. A representative from the home building industry.
- 9 4. A representative from an environmental interest
10 group.
- 11 5. A representative from the State University System,
12 from a department knowledgeable about onsite sewage treatment
13 and disposal systems.
- 14 6. A professional engineer registered in this state
15 who has work experience in onsite sewage treatment and
16 disposal systems.
- 17 7. A representative from the real estate profession.
- 18 8. A representative from the restaurant industry.
- 19 9. A consumer.

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21 Members shall be appointed for a term of 3 years, with the
22 appointments being staggered so that the terms of no more than
23 four members expire in any one year. Members shall serve
24 without remuneration, but are entitled to reimbursement for
25 per diem and travel expenses as provided in s. 112.061.

26 (p) An application for an onsite sewage treatment and
27 disposal system permit shall be completed in full, signed by
28 the owner or the owner's authorized representative, or by a
29 contractor licensed under chapter 489, and shall be
30 accompanied by all required exhibits and fees. No specific
31 documentation of property ownership shall be required as a

1 prerequisite to the review of an application or the issuance
2 of a permit. The issuance of a permit does not constitute
3 determination by the department of property ownership.

4 (q) The department may not require any form of
5 subdivision analysis of property by an owner, developer, or
6 subdivider prior to submission of an application for an onsite
7 sewage treatment and disposal system.

8 (r) Nothing in this section limits the power of a
9 municipality or county to enforce other laws for the
10 protection of the public health and safety.

11 (s) In the siting of onsite sewage treatment and
12 disposal systems, including drainfields, shoulders, and
13 slopes, guttering shall not be required on single-family
14 residential dwelling units for systems located greater than 5
15 feet from the roof drip line of the house. If guttering is
16 used on residential dwelling units, the downspouts shall be
17 directed away from the drainfield.

18 (t) Notwithstanding the provisions of subparagraph
19 (f)1., onsite sewage treatment and disposal systems located in
20 floodways of the Suwannee and Aucilla Rivers must adhere to
21 the following requirements:

22 1. The absorption surface of the drainfield shall not
23 be subject to flooding based on 10-year flood elevations.
24 Provided, however, for lots or parcels created by the
25 subdivision of land in accordance with applicable local
26 government regulations prior to January 17, 1990, if an
27 applicant cannot construct a drainfield system with the
28 absorption surface of the drainfield at an elevation equal to
29 or above 10-year flood elevation, the department shall issue a
30 permit for an onsite sewage treatment and disposal system
31 within the 10-year floodplain of rivers, streams, and other

1 bodies of flowing water if all of the following criteria are
2 met:

3 a. The lot is at least one-half acre in size;
4 b. The bottom of the drainfield is at least 36 inches
5 above the 2-year flood elevation; and
6 c. The applicant installs either: a waterless,
7 incinerating, or organic waste composting toilet and a
8 graywater system and drainfield in accordance with department
9 rules; an aerobic treatment unit and drainfield in accordance
10 with department rules; a system approved by the State Health
11 Office that is capable of reducing effluent nitrate by at
12 least 50 percent; or a system approved by the county health
13 department pursuant to department rule other than a system
14 using alternative drainfield materials. The United States
15 Department of Agriculture Soil Conservation Service soil maps,
16 State of Florida Water Management District data, and Federal
17 Emergency Management Agency Flood Insurance maps are resources
18 that shall be used to identify flood-prone areas.

19 2. The use of fill or mounding to elevate a drainfield
20 system out of the 10-year floodplain of rivers, streams, or
21 other bodies of flowing water shall not be permitted if such a
22 system lies within a regulatory floodway of the Suwannee and
23 Aucilla Rivers. In cases where the 10-year flood elevation
24 does not coincide with the boundaries of the regulatory
25 floodway, the regulatory floodway will be considered for the
26 purposes of this subsection to extend at a minimum to the
27 10-year flood elevation.

28 (u) The owner of an aerobic treatment unit system
29 shall maintain a current maintenance service agreement with an
30 aerobic treatment unit maintenance entity permitted by the
31 department. The maintenance entity shall obtain a system

1 operating permit from the department for each aerobic
2 treatment unit under service contract. The maintenance entity
3 shall inspect each aerobic treatment unit system at least
4 twice each year and shall report quarterly to the department
5 on the number of aerobic treatment unit systems inspected and
6 serviced. The owner shall allow the department to inspect
7 during reasonable hours each aerobic treatment unit system at
8 least annually, and such inspection may include collection and
9 analysis of system-effluent samples for performance criteria
10 established by rule of the department.

11 Section 2. Paragraphs (c) and (i) of subsection (2) of
12 section 381.0066, Florida Statutes, are amended to read:

13 381.0066 Onsite sewage treatment and disposal systems;
14 fees.--

15 (2) The minimum fees in the following fee schedule
16 apply until changed by rule by the department within the
17 following limits:

18 (c) Biennial ~~Annual~~ Operating permit for aerobic
19 treatment units or performance-based treatment systems,
20 ~~including quarterly evaluation, annual sampling, and~~
21 ~~laboratory analysis of effluent from aerobic treatment units:~~
22 a fee of not less than \$150, or more than ~~\$100~~\$300.

23 (i) Aerobic treatment unit or performance-based
24 treatment system maintenance entity permit: a fee of not less
25 than \$25, or more than \$150, per year.

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27 The funds collected pursuant to this subsection must be
28 deposited in a trust fund administered by the department, to
29 be used for the purposes stated in this section and ss.
30 381.0065 and 381.00655.

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1 Section 3. The Department of Health Technical Review
2 and Advisory Panel, as created in s. 381.0068, Florida
3 Statutes, is directed to review and advise on the need for
4 licensing the portable restroom industry in the state. Taking
5 into consideration issues relating to qualifications,
6 education, training, and the procedure for handling,
7 transporting, and disposal of septage. The review is not
8 intended to impact work done by septic tank or master septic
9 tank operators. The technical review and advisory panel shall
10 submit its report to the Legislature by January 2, 2002.

11 Section 4. This act shall take effect July 1, 2001.
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