

HB 167

2011

1 A bill to be entitled
2 An act relating to onsite sewage treatment and disposal
3 systems; amending s. 381.0065, F.S.; revising the date by
4 which the Department of Health must create and administer
5 a statewide onsite sewage treatment and disposal system
6 evaluation program; amending s. 381.0066, F.S.; revising
7 the date by which the Surgeon General must determine a
8 revenue neutral fee schedule for specified onsite sewage
9 treatment and disposal system services; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (a) of subsection (5) of section
15 381.0065, Florida Statutes, is amended to read:

16 381.0065 Onsite sewage treatment and disposal systems;
17 regulation.—

18 (5) EVALUATION AND ASSESSMENT.—

19 (a) Beginning July ~~January~~ 1, 2011, the department shall
20 administer an onsite sewage treatment and disposal system
21 evaluation program for the purpose of assessing the fundamental
22 operational condition of systems and identifying any failures
23 within the systems. The department shall adopt rules
24 implementing the program standards, procedures, and
25 requirements, including, but not limited to, a schedule for a 5-
26 year evaluation cycle, requirements for the pump-out of a system
27 or repair of a failing system, enforcement procedures for
28 failure of a system owner to obtain an evaluation of the system,

29 and failure of a contractor to timely submit evaluation results
 30 to the department and the system owner. The department shall
 31 ensure statewide implementation of the evaluation and assessment
 32 program by January 1, 2016.

33 Section 2. Subsection (2) of section 381.0066, Florida
 34 Statutes, is amended to read:

35 381.0066 Onsite sewage treatment and disposal systems;
 36 fees.—

37 (2) The minimum fees in the following fee schedule apply
 38 until changed by rule by the department within the following
 39 limits:

40 (a) Application review, permit issuance, or system
 41 inspection, including repair of a subsurface, mound, filled, or
 42 other alternative system or permitting of an abandoned system: a
 43 fee of not less than \$25, or more than \$125.

44 (b) A 5-year evaluation report submitted pursuant to s.
 45 381.0065(5): a fee not less than \$15, or more than \$30. At least
 46 \$1 and no more than \$5 collected pursuant to this paragraph
 47 shall be used to fund a grant program established under s.
 48 381.00656.

49 (c) Site evaluation, site reevaluation, evaluation of a
 50 system previously in use, or a per annum septage disposal site
 51 evaluation: a fee of not less than \$40, or more than \$115.

52 (d) Biennial Operating permit for aerobic treatment units
 53 or performance-based treatment systems: a fee of not more than
 54 \$100.

55 (e) Annual operating permit for systems located in areas
 56 zoned for industrial manufacturing or equivalent uses or where

57 | the system is expected to receive wastewater which is not
 58 | domestic in nature: a fee of not less than \$150, or more than
 59 | \$300.

60 | (f) Innovative technology: a fee not to exceed \$25,000.

61 | (g) Septage disposal service, septage stabilization
 62 | facility, portable or temporary toilet service, tank
 63 | manufacturer inspection: a fee of not less than \$25, or more
 64 | than \$200, per year.

65 | (h) Application for variance: a fee of not less than \$150,
 66 | or more than \$300.

67 | (i) Annual operating permit for waterless, incinerating,
 68 | or organic waste composting toilets: a fee of not less than \$50,
 69 | or more than \$150.

70 | (j) Aerobic treatment unit or performance-based treatment
 71 | system maintenance entity permit: a fee of not less than \$25, or
 72 | more than \$150, per year.

73 | (k) Reinspection fee per visit for site inspection after
 74 | system construction approval or for noncompliant system
 75 | installation per site visit: a fee of not less than \$25, or more
 76 | than \$100.

77 | (l) Research: An additional \$5 fee shall be added to each
 78 | new system construction permit issued to be used to fund onsite
 79 | sewage treatment and disposal system research, demonstration,
 80 | and training projects. Five dollars from any repair permit fee
 81 | collected under this section shall be used for funding the
 82 | hands-on training centers described in s. 381.0065(3)(j).

83 | (m) Annual operating permit, including annual inspection
 84 | and any required sampling and laboratory analysis of effluent,

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85 | for an engineer-designed performance-based system: a fee of not
86 | less than \$150, or more than \$300.

87 |

88 | On or before July ~~January~~ 1, 2011, the Surgeon General, after
89 | consultation with the Revenue Estimating Conference, shall
90 | determine a revenue neutral fee schedule for services provided
91 | pursuant to s. 381.0065(5) within the parameters set in
92 | paragraph (b). Such determination is not subject to the
93 | provisions of chapter 120. The funds collected pursuant to this
94 | subsection must be deposited in a trust fund administered by the
95 | department, to be used for the purposes stated in this section
96 | and ss. 381.0065 and 381.00655.

97 | Section 3. This act shall take effect upon becoming a law.