

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Mayfield offered the following:

3
 4 **Amendment to Amendment (446269) by Representative Mayfield**
 5 **(with title amendment)**

6 Between lines 5 and 6 of the amendment, insert:

7 Section 1. Section 381.0065(4)(u)3., Florida Statutes, is
 8 amended to read:

9 381.0065 Onsite sewage treatment and disposal systems;
 10 regulation.—

11 (4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not
 12 construct, repair, modify, abandon, or operate an onsite sewage
 13 treatment and disposal system without first obtaining a permit
 14 approved by the department. The department may issue permits to
 15 carry out this section, but shall not make the issuance of such
 16 permits contingent upon prior approval by the Department of
 17 Environmental Protection, except that the issuance of a permit

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18 for work seaward of the coastal construction control line
19 established under s. 161.053 shall be contingent upon receipt of
20 any required coastal construction control line permit from the
21 Department of Environmental Protection. A construction permit is
22 valid for 18 months from the issuance date and may be extended
23 by the department for one 90-day period under rules adopted by
24 the department. A repair permit is valid for 90 days from the
25 date of issuance. An operating permit must be obtained prior to
26 the use of any aerobic treatment unit or if the establishment
27 generates commercial waste. Buildings or establishments that use
28 an aerobic treatment unit or generate commercial waste shall be
29 inspected by the department at least annually to assure
30 compliance with the terms of the operating permit. The operating
31 permit for a commercial wastewater system is valid for 1 year
32 from the date of issuance and must be renewed annually. The
33 operating permit for an aerobic treatment unit is valid for 2
34 years from the date of issuance and must be renewed every 2
35 years. If all information pertaining to the siting, location,
36 and installation conditions or repair of an onsite sewage
37 treatment and disposal system remains the same, a construction
38 or repair permit for the onsite sewage treatment and disposal
39 system may be transferred to another person, if the transferee
40 files, within 60 days after the transfer of ownership, an
41 amended application providing all corrected information and
42 proof of ownership of the property. There is no fee associated
43 with the processing of this supplemental information. A person

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44 may not contract to construct, modify, alter, repair, service,
45 abandon, or maintain any portion of an onsite sewage treatment
46 and disposal system without being registered under part III of
47 chapter 489. A property owner who personally performs
48 construction, maintenance, or repairs to a system serving his or
49 her own owner-occupied single-family residence is exempt from
50 registration requirements for performing such construction,
51 maintenance, or repairs on that residence, but is subject to all
52 permitting requirements. A municipality or political subdivision
53 of the state may not issue a building or plumbing permit for any
54 building that requires the use of an onsite sewage treatment and
55 disposal system unless the owner or builder has received a
56 construction permit for such system from the department. A
57 building or structure may not be occupied and a municipality,
58 political subdivision, or any state or federal agency may not
59 authorize occupancy until the department approves the final
60 installation of the onsite sewage treatment and disposal system.
61 A municipality or political subdivision of the state may not
62 approve any change in occupancy or tenancy of a building that
63 uses an onsite sewage treatment and disposal system until the
64 department has reviewed the use of the system with the proposed
65 change, approved the change, and amended the operating permit.

66 (u)1. The owner of an aerobic treatment unit system shall
67 maintain a current maintenance service agreement with an aerobic
68 treatment unit maintenance entity permitted by the department.
69 The maintenance entity shall inspect each aerobic treatment unit

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70 system at least twice each year and shall report quarterly to
71 the department on the number of aerobic treatment unit systems
72 inspected and serviced. The reports may be submitted
73 electronically.

74 2. The property owner of an owner-occupied, single-family
75 residence may be approved and permitted by the department as a
76 maintenance entity for his or her own aerobic treatment unit
77 system upon written certification from the system manufacturer's
78 approved representative that the property owner has received
79 training on the proper installation and service of the system.
80 The maintenance entity service agreement must conspicuously
81 disclose that the property owner has the right to maintain his
82 or her own system and is exempt from contractor registration
83 requirements for performing construction, maintenance, or
84 repairs on the system but is subject to all permitting
85 requirements.

86 3. A septic tank contractor licensed under part III of
87 chapter 489, if approved by the manufacturer, may not be denied
88 access by the manufacturer to aerobic treatment unit system
89 training or spare parts for maintenance entities. After the
90 original warranty period, component parts for an aerobic
91 treatment unit system may be replaced with parts that meet
92 manufacturer's specifications but are manufactured by others.
93 The maintenance entity shall maintain documentation of the
94 substitute part's equivalency for 2 years and shall provide such
95 documentation to the department upon request.

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96 4. The owner of an aerobic treatment unit system shall
97 obtain a system operating permit from the department and allow
98 the department to inspect during reasonable hours each aerobic
99 treatment unit system at least annually, and such inspection may
100 include collection and analysis of system-effluent samples for
101 performance criteria established by rule of the department.

102 5. Nothing in this paragraph shall prohibit a septic tank
103 contractor licensed under part III of chapter 489, from
104 performing maintenance or repair on the drainfield of an aerobic
105 treatment unit system provided that it is not a performance-
106 based treatment system.

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111 **T I T L E A M E N D M E N T**

112 Remove line 27 of the amendment and insert:
113 amending s. 381.0065, F.S.; providing that under certain
114 situations a licensed septic tank contractor may perform
115 maintenance or repair on the drainfield of an aerobic treatment
116 unit system; amending s. 381.00655, F.S.; allowing the owner of
117 an existing
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