

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Mayfield offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 17-23 and insert:

5 Section 1. Paragraph (u) of subsection (4) and subsection
6 (6) of section 381.0065, Florida Statutes, are amended to read:

7 381.0065 Onsite sewage treatment and disposal systems;
8 regulation.—

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

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

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

65 (u)1. The owner of an aerobic treatment unit system shall
66 maintain a current maintenance service agreement with an aerobic

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67 treatment unit maintenance entity permitted by the department.
68 The maintenance entity shall inspect each aerobic treatment unit
69 system at least twice each year and shall report quarterly to
70 the department on the number of aerobic treatment unit systems
71 inspected and serviced. The reports may be submitted
72 electronically.

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

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

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93 substitute part's equivalency for 2 years and shall provide such
94 documentation to the department upon request.

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

101 5. This paragraph does not prohibit a septic tank
102 contractor licensed under part III of chapter 489 from
103 performing maintenance or repair on the drainfield of an aerobic
104 treatment unit system that is not a performance-based treatment
105 system.

106 (6) LAND APPLICATION OF SEPTAGE PROHIBITED.—Effective
107 January 1, 2017 ~~2016~~, the land application of septage from
108 onsite sewage treatment and disposal systems is prohibited.

109 Section 2. Paragraph (c) is added to subsection (1) of
110 section 381.00655, Florida Statutes, to read:

111 381.00655 Connection of existing onsite sewage treatment
112 and disposal systems to central sewerage system; requirements.—

113 (1)

114 (c) The owner of an existing onsite sewage treatment and
115 disposal system may, with the approval of the Department of
116 Environmental Protection or the department's designee, use all
117 or a portion of the existing onsite sewage treatment and
118 disposal system, including the drainfield, as an integral part

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119 of a sanitary sewer system. Before such use is approved by the
120 department, the existing septic tank must be evaluated by a
121 registered septic tank contractor to ensure that the tank is not
122 in failure at the time of transition.

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

126 Remove lines 3-6 and insert:
127 disposal systems; amending s. 381.0065, F.S.;
128 authorizing licensed septic tank contractors to
129 perform maintenance and repair on the drainfields of
130 certain aerobic treatment unit systems; delaying the
131 effective date of the prohibition against the land
132 application of septage from onsite sewage treatment
133 and disposal systems; amending s. 381.00655, F.S.;
134 providing conditions under which the owners of
135 existing onsite sewage treatment and disposal systems
136 are allowed to use all or a portion of the systems as
137 integral parts of sanitary sewer systems; directing
138 the Department of