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Handbook of Florida Water Regulation: Onsite Sewage Treatment and Disposal ¹

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Who Regulates Onsite Sewage Treatment and Disposal?

While the Florida Statutes contain a set of broad guidelines regulating sewage treatment and disposal, the Florida Department of Health (DOH) is the primary authority for specific, statewide regulations

controlling the installation and use of onsite sewage treatment and disposal systems.

Nonetheless, the waste disposal rules of the Department of Environmental Protection (DEP) will apply as follows:

- the estimated volume of domestic sewage to be processed exceeds 10,000 gallons per day.
- the estimated volume of commercial sewage to be processed exceeds 5,000 gallons per day.
- the water contains or will contain industrial or hazardous waste.

If the system falls into one of these categories, the DEP will likely require a separate permit and impose further restrictions on the system. In addition to the statewide rules, local governments may have more stringent rules and requirements for permitting and regulating the disposal system.

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Are Onsite Sewage Treatment and Disposal Systems Acceptable?

The state does not encourage the use of onsite sewage treatment and disposal systems (which generally takes the form of septic tanks and drain fields). Both the statutes and the DOH rules require the use of public or investor-owned sewage systems in areas where they are available.

Unless the system is authorized by the utility and is being used to dispose only graywater, it must be connected to a public sewage system within one year from the date such a public system becomes available in the area.

Graywater and blackwater are defined as follows:

- *Graywater* is residential wastewater from the bathtub, shower, lavatory, laundry, and sink, except kitchen sink waste.
- *Blackwater* is that part of domestic sewage carried off by toilets, urinals, and kitchen drains.

Where Should Onsite Systems Be Placed?

The onsite system's location is a key factor in determining the potential for groundwater damage as follows:

1. The septic system must be distanced 75 feet from private potable wells and surface waters, including lakes, bays, and normally wet drainage ditches. Also, septic systems must be distanced 100 to 200 feet from public wells.
2. The placement of drain fields five feet from building foundations or property lines, 50 feet from non-potable wells, and 10 feet from potable water supply lines is required. Also, drain fields cannot be within 15 feet of a storm sewer pipe.
3. New fill soil used to install mounded septic systems or replace unsatisfactory naturally existing soils (e.g., unsettled ground) is required to be slightly limited in nature and compacted to the density of the surrounding soil.

4. Special standards apply to the placement of systems in limestone soil, which is particularly common in South Florida.

The land use zoning of the area where the system is to be installed is also crucial. If an area is zoned for industry or manufacturing, the DOH will closely monitor the system to ensure that it receives no toxic or hazardous wastes. Additionally, the system will not be permitted if a public sewage system is available.

The size of the tank and drain field is also prescribed by the rules, which list the minimum sizes of tanks required for every size of residence or other building. The size regulations are based upon the amount of waste the DOH estimates each type of building will generate.

How Should Systems Be Maintained?

The owner of the property is responsible for maintenance and upkeep of the system. It is important to note that an onsite sewage treatment and disposal system must be operated under the terms of the rule and permit under which it was approved. The owner may not make any changes to the structure or to the system or increase sewage flow without approval from the local health department. Under DOH rules, the owner should have the level of the tank checked a minimum of once every three years by a licensed septic tank contractor. A licensed contractor should also perform any necessary maintenance to the system. If garbage grinders or commercial sewage are being discharged into a tank, the owner needs to have the system inspected by a licensed septic tank contractor or pumper once a year. Both the statute and the rules prohibit the use of organic chemical solvents, toxic or hazardous chemicals, or petroleum products to degrease or de-clog the system. A licensed contractor must be issued an annual service permit prior to the removal of sptage from any onsite sewage treatment and disposal system.

What Are the Procedures for Septic Tank Abandonment?

A permit and fee are required from the DOH to abandon a septic tank, and these steps must be followed:

- the tank should be pumped out.
- the bottom should be opened or ruptured to prevent water retention.
- the tank should be filled with clean sand or other suitable material and completely covered with soil.

What Permits and Fees Are Required?

The DOH requires a permit for the installation, repair, alteration, modification, replacement, or abandonment of all onsite sewage systems. Prior to the issuance of any permit, an application and a site investigation is required on all sites by the DOH, Florida licensed professional engineers, or other authorized persons. The DOH will also require an inspection of the entire septic system before burial.

The DOH attempts to perform all inspections within one working day after they have been notified that the tank installation is complete. A fee will be collected for the permit, the inspections, and any other necessary services performed by the DOH. Generally, the fees range from \$50 to \$200.

It is essential to note that local governments may have separate requirements, including separate permits (e.g., plumbing permits), that may be more stringent than state law or rule. In many cases, the issuance of these permits will be contingent upon the applicant having already obtained a DOH permit.

What Are the Alternatives?

The rules give the individual county health departments, as part of the DOH, the authority to approve alternative onsite systems such as mounds, gravity sewers, low pressure pipe, and other systems so long as the county feels there will be no adverse effects. However, any approvals of alternate systems must comply with applicable rule and law. The DOH retains authority to approve the use of temporary measures such as portable toilets as well. The DOH rules also create a Variance Review and Advisory Committee to hear requests for variances. The committee may advise the DOH to grant a variance when it deems strict compliance with the laws and

rules governing onsite sewage treatment and disposal systems cannot be met. However, only DOH has the authority to grant a variance.

Sources

Florida Statutes section 381.0065; 64E-6 Florida Administrative Code.

Contact Information

S-5 (Contacting the local county health department may be sufficient.)