

INTEROFFICE MEMORANDUM

INFORMATION
HSES 00-016

DATE: June 28, 2000

TO: County Health Department Directors/Administrators
ATTN: Environmental Health and Engineering Directors

THROUGH: Sharon Heber, Dr. P.H., Director
Division of Environmental Health

FROM: Gerald R. Briggs, Acting Chief
Bureau of Onsite Sewage Programs

SUBJECT: SB 2628 – Voluntary OSTDS Inspections

The Governor signed Senate Bill 2682 on June 7. The bill became law upon his signature. Contained within this bill was language effecting section 64E-6.001(5), F.A.C., regarding "non-mandatory" inspections. The bill provides the department authority to adopt rules for "recommended standards, including disclosure requirements, for voluntary system inspections to be performed by persons who are authorized by law to perform such inspections and who shall inform a person having ownership, control, or use of an onsite sewage treatment and disposal system of the inspection standards and of that person's authority to request an inspection based on all or part of the standards."

Registered septic tank contractors, state-licensed plumbers, and persons certified under 381.0101, F.S., to perform these inspections must provide the requester with a copy of the Procedure for Voluntary Inspection and Assessment of Existing Systems (attached). They must notify the requester in writing of their right to request an inspection based on all or part of these standards. The inspector must have the requester's response in writing.

This is a consumer protection and ethical standard-of-conduct issue. County health departments are not involved in this inspection procedure except in response to complaints from consumers that the above procedure was not followed. The appropriate disciplinary action for a first offense is a citation with a \$500.00 fine. If an inspector cannot provide written documentation of the requester's choices, it must be assumed that a full inspection was contracted.

We are currently in the process of revising the rule to incorporate the statutory changes. However, these statutory changes are effective as of June 7. Please meet with your local contractors and provide them a copy of this memorandum and the attached protocol. If you have any questions on this memorandum, please call Ed Barranco at SunCom 205-4070 or (850) 245-4070.

Attachment

Procedure for Voluntary Inspection and Assessment of Existing Systems May, 2000

These inspection procedures are intended to be used as a minimum standard when these types of inspections are performed.

This procedure shall be used if a person having ownership of, control of, or use of an onsite sewage treatment and disposal system requests to have the system inspected due to a reason that is not related to an increase in sewage flow or change in sewage characteristics, or failure of the system.

(1) Inspection Procedures: All inspection procedures used by the inspector shall be documented. Unless the person requesting the inspection specifies in writing that parts of the inspection be omitted, the inspection shall include a tank inspection, a drainfield inspection, and a written assessment of the condition of the system. At any time where the inspector finds that the system is in failure, or has been in failure, the inspector may choose to terminate the inspection and inform the owner of the findings.

(2) Tank Inspection (when not omitted at the written instruction of the person requesting the inspection): The tank must be pumped to determine its capacity. Where proof of a tank pumping, permitted new installation or permitted repair or permitted modification can be documented within the previous three years, and where the document states the capacity of the tank and that the condition of the tank does not constitute a sanitary nuisance, the inspector may waive the pumping requirement. Visual inspection of the tank must be made when the tank is empty to detect cracks, leaks, or other defects. Check baffles or tees to ensure they are intact and secure. Note the presence and condition of outlet device, effluent filters and compartment walls. Note any structural defects in the tank. Note the condition and fit of the tank lid, including manholes. If the tank, in the professional opinion of the inspector, is in danger of being damaged by leaving the tank empty after inspection, the tank will be refilled with water prior to concluding the inspection.

(3) Drainfield Inspection (when not omitted at the written instruction of the person requesting the inspection): The drainfield area should be probed to determine its location and approximate size. Note whether the drainfield is a trench or bed configuration and whether it is made of mineral aggregate, non-mineral aggregate, or plastic chambers. In addition, note any indications of previous failure, the condition of surface vegetation, for example, is there any seepage visible or excessively lush vegetation? If so, the inspector should note if there is ponding water within the drainfield and if there is even distribution of effluent in the field. The inspection should note any downspouts or drains that encroach or drain into the drainfield area. Auger and examine soils to estimate the seasonal high water table in the area of the drainfield.

(4) Where the system contains pumps, siphons, alarms, the following minimum information is required when not omitted at the written instruction of the person requesting the inspection:

- (a) Dosing tank integrity, approximate volume and material used in construction (i.e., concrete, fiberglass, plastic)
- (b) Pump elevated off the bottom of the chamber?
- (c) Pump operational status
- (d) If there is a check valve, is a purge hole present?
- (e) Is there a high water alarm present?
- (f) Type of alarm (audio/ visual/both) and the location
- (g) Does the alarm work?
- (h) Do electrical connections appear satisfactory?
- (i) Can surface water infiltrate into the tank?
- (j) Indicate whether the pump tank was pumped out.

(5) Assessment: The inspector shall provide a copy of a written signed inspection report to the person requesting the assessment and the owner of the system. The front cover of the report shall indicate whether the system is or is not, in the professional opinion of the inspector:

(a) a sanitary nuisance through:

1. allowing the discharge of untreated or improperly treated human waste.
 2. the improperly built or maintained sewage treatment tank.
 3. the creation, maintenance or causing of any condition capable of breeding flies, mosquitoes or any other arthropods capable of transmitting diseases directly or indirectly to humans.
- (b) The report will indicate any maintenance that needs to be performed on the system.

DISCLOSURE STATEMENTS

The following conditions, when determined during the course of an inspection, shall be disclosed using the appropriate disclosure statement(s) below. When the person requesting the inspection has made written specification that portions of the inspection be omitted, the inspector's written report shall indicate any of the of the following conditions that could not be assessed because of the limited scope of the inspection.

1. When the inspector detects cracks, leaks, improper fit or other defects in the tank, manholes or lid, the report shall state that the damaged or defective item or tank be properly corrected.
2. When the inspector detects any missing or damaged component of the system, the report shall state that the missing or damaged component be replaced or an approvable replacement reinstalled in the system.
3. When the inspector detects previous failure indicators, these should be documented in the report.
4. When the inspector detects ponding of the drainfield or uneven distribution of effluent, documentation of the extent of such ponding or uneven distribution shall be included in the report.
5. When the inspector detects downspouts or other stormwater or other source of water directed toward the system, the report shall state that these sources be re-directed away from the system.
6. When the inspector detects the seasonal high water table at or above the elevation of the drainfield, the report shall state that there is an increased probability of system malfunction due to the presence of groundwater at these levels.
7. Any condition or situation existing on the site at the time of the inspection that, in the opinion of the inspector, would possibly interfere with or restrict any future repair or modification to the existing system shall be included in the report.