MEMORANDUM

DCEH 13-008

DATE: August 15, 2013

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

THROUGH: C. Meade Grigg
Deputy Secretary for Statewide Services

Celeste M. Philip, MD, MPH
Interim Deputy Secretary for Health

FROM: Patti Anderson, MSc, P.E., Chief
Bureau of Environmental Health

SUBJECT: Onsite Sewage Programs – Amendments to Chapter 64E-6, Florida Administrative Code, Effective July 16, 2013

Amendments to Chapter 64E-6, *Florida Administrative Code (FAC)*, became effective July 16, 2013, incorporating several statutory changes from the 2012 legislative session and issues brought to the Technical Review and Advisory Panel. The updated rule and a coded change document are available on the internet and on SharePoint and was a topic of training a couple months ago:

DOH Website: http://www.myfloridaeh.com/ostds/Rule.htm.

SharePoint: http://def.sharepoint.doh.ad.state.fl.us/DEH/Onsite/Shared%20Documents/64E-6/2013-07-16--64e-6.pdf.

Following is a summary of the changes.

64E-6.001 - General

- (1) Defines and clarifies the applicability of various parts of the Rule.
- (4) Divides subsection into four new paragraphs, renumbers existing paragraphs, and adds a new paragraph, (i).
- (4)(c) Changes the period from three to five years for when an approved existing system requires a new inspection and deletes the requirement that a commercial system that has been out of service for more than a year be brought to new standards.
- (4)(e) Incorporates the 2012 statutory provision that no modification, replacement or upgrade is required for a remodeling addition if a bedroom is not added.

- (4)(e) 1. & 4. In the case of a modification, allows tanks that are not within one tank size to be replaced or supplemented without requiring the entire system to be brought to new standards. This provision requires that the resulting tank configuration meet the sizing requirements for tanks-in-series: i.e., first tank compartment or tank having at least 2/3 of the required effective capacity and the second tank or compartment to have at least 1/5 of the required effective capacity and sufficient capacity that the first two chambers or tanks combine to meet or exceed the required effective capacity. As an applicant seeks the most practical or economical option for achieving the tank capacity and configuration standards, removal of a slide-in baffle from the existing tank could be authorized if the tank design was approved with no baffle in place.
- (4)(f) Removes the requirement for commercial systems to meet new standards when a tank is replaced during a modification and clarifies that a system treating commercial wastewater shall be brought to new standards when there is an increase in waste flow or strength.
- (4)(i) Incorporates 2012 statutory changes regarding reuse of an existing system when a structure served is destroyed or made unusable following a disaster.

64E-6.002 – Definitions

- (11) Refers to bedroom definition from 2012 statutory change.
- (24), (37) & (51) Deletes diagrams from the definitions of mound, filled and subsurface systems.

64E-6.003 – Permits

- (6) Incorporates 2012 statutory provisions to re-permit and grant final system approval for systems which have received construction approval within the previous five years. The Rule requires site re-evaluation, permit and other fees, as applicable, as well as final system inspection and compliance with the original permit requirements.

64E-6.008 – System Size Determinations

- Table I changes flow increment for residences to 60 gallons for each bedroom in addition to four or each 750 square feet of building area or fraction thereof in addition to 3300 square feet.

64E-6.010 – Septage and Food Establishment Sludge

- (2)(a)1. Eliminates the minimum size requirement for septage storage tanks. Stabilization tanks still need to have a minimum capacity of 3000 gallons.

64E-6.011 – Abandonment of Systems

- (1) Deletes the requirement that systems be abandoned following condemnation or demolition or removal or destruction of a building or property. Effectively, the only time abandonment within 90 days is required is when the establishment is connected to sewer and the tank is not to be a part of that sewer system and is not to be converted to a cistern, or when the tank is to be replaced by another tank during a system repair, replacement or modification.
- (2)(b) Requires tanks being abandoned to be pumped out by a permitted septage disposal company. Before the abandonment can be approved, a receipt for the pump-out or written certification that the tank was pumped out is required to be provided to the CHD. If the tank is empty and dry at the commencement of abandonment, a written statement to that effect by the septage hauling company or contractor must be provided to the CHD.

64E-6.014 – Construction Standards for Drainfield Systems

- (3)(a) Provides that where the total drainfield area is between 1000 and 2000 square feet, the applicant may opt to split the drainfield into two equal parts and install lift-dosed drainfields instead of installing a low-pressure dosed drainfield system.

64E-6.0181 – System Repair and Cesspit and Undocumented System Replacement (Florida Keys)

- (2) Incorporates 2010 statutory provisions for areas that will be served by sewer by the end of 2015 - failing OSTDS may be replaced with a septic tank and sand-lined drainfield or an ATU, filter and injection well. During the 2013 legislative session, further changes were made that provides that in these areas, if the connection or assessment fee has been paid for connection, the owner may install a holding tank with a high-water alarm or an OSTDS with a sand-lined drainfield or injection well installed in accordance with department rules.
- (3) Failing systems may not be repaired to a lower standard than the existing system was required to meet. (Even though this is a new rule provision it is changed by the 2013 statutory language that became effective July 1, 2013 allowing holding tanks under certain circumstances).
- (3)(b)1. Existing tank must meet Part I repair standards (two tank sizes, no leaks). New tanks would need to meet the new tank provisions of 64E-6.013, *FAC*, and tanks for modifications would need to meet the standards in 64E-6.001, *FAC*
- (3)(b)2. Sand liner must meet Part II provisions for new sand-lined drainfields.
- (3)(b)3. & 4. System must meet a 50-foot setback to surface water, salt marsh and buttonwood habitat.
- (3)(b)5. The maximum sewage loading rate for a sand-lined drainfield is 0.9 gallons/square foot/day.

64E-6.028 – Location and Installation (PBTS)

- (3) Deletes unused provisions allowing alternative drainfield geometry.

The amended Rule became effective July 16, 2013. If you have any questions on this memorandum, please contact the Onsite Sewage Program office in Tallahassee or Orlando.