

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/CS/HB 375 — Onsite Sewage Treatment and Disposal Systems

by State Affairs Committee; Health Quality Subcommittee; Agriculture and Natural Resources Subcommittee; and Rep. Roberson, K. (CS/CS/CS/SB 1160 by Rules Committee; Environmental Preservation and Conservation Committee; Health Policy Committee; and Senator Bullard)

The bill amends s. 381.0065, F.S., to:

- Authorize inspection reports for engineer-designed onsite sewerage treatment and disposal systems (OSTDS) and aerobic treatment units (ATU) to be submitted electronically to the Department of Health (DOH);
- Remove the requirement that the technical review advisory panel assist the DOH in developing performance criteria applicable to engineer-designed OSTDS;
- Clarify that property owners of owner-occupied single-family residences may be approved and permitted by the DOH as a maintenance entity for their own engineer-designed OSTDS or ATU system upon written certification from the manufacturer that they have received training on the proper installation and maintenance of their own engineer-designed OSTDS or ATU system;
- Clarify that maintenance entity service contracts must conspicuously disclose that property owners of owner-occupied single-family residences have the right to maintain their own engineer-designed OSTDS or ATU system and are exempt from contractor registration requirements for performing construction, maintenance, or repairs on an own engineer-designed OSTDS or ATU system, but are subject to all permitting requirements;
- Provide that a septic tank contractor licensed under ch. 489, part III, F.S., and approved by the ATU manufacturer must not be denied access to ATU training and spare parts by the manufacturer for maintenance entities;
- Allow component parts for ATUs to be replaced with parts that meet the manufacturer's specifications but are manufactured by others after the original warranty period for the ATU expires; and
- With respect to OSTDS in Monroe County:
 - Require property owners who are not scheduled to be served by a central sewer by December 31, 2015, to comply with chemical concentration level standards;
 - Provide that an OSTDS that reduces nitrogen concentrations by at least 70 percent, or if the OSTDS system has been tested and certified to reduce nitrogen concentrations by at least 70 percent, is deemed to be in compliance with current nitrogen standards;
 - Allow property owners who have recently installed OSTDS in areas scheduled to be served by a central sewer system to continue to use the systems until December 31, 2020, except if located in special wastewater districts; and

- Allow property owners who have paid connection fees or assessments for connection to a central sewer system, in an area scheduled to be served by a central sewer by December 31, 2015, the option of installing a holding tank with a high water alarm until they are able to connect to a central sewer system.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 39-0; House 117-0