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Florida Solid and Hazardous Waste Regulation Handbook: Sewage Disposal Systems¹

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May I Have an On-site Sewage Disposal System?

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

Unless your system is being used to dispose entirely of graywater, it must be connected to a public sewage system within one year from the date such a public system becomes available in your area. Graywater is residential wastewater from bathroom or lavatory sinks and washing machines. Blackwater is basically all other residential wastewater, like water from toilets and kitchen drains.

Who Regulates On-site Sewage Disposal?

While the Florida Statutes contain a set of broad guidelines regulating sewage disposal, DOH is the primary authority for specific, statewide regulations

controlling the installation and use of on-site sewage disposal systems.

Who Is Regulated?

The waste disposal rules of the Department of Environmental Protection (DEP) apply to you if:

- the volume of water to be processed exceeds 5000 gallons per day.
- the water contains industrial or hazardous waste.
- the system is located in an area which is zoned for industry or manufacturing.

If your system falls into one of these categories, you should contact DEP because they will require a separate permit and impose further restrictions on the system. In addition to the statewide rules, local governments will typically have their own rules and requirements for permitting and regulating the disposal system.

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What Permits Do I Need?

The DOH requires a permit for the installation, repair and abandonment of all on-site sewage systems. Prior to the issuance of a permit, DOH may inspect the site and perform any necessary tests to determine whether the system has any potential to cause harm.

Do I Need Local Permits?

Local governments will often require separate permits (like plumbing permits) and impose separate requirements for the installation, repair and abandonment of disposal systems. In many cases, the issuance of these permits will be contingent upon the applicant having already obtained a DOH permit.

How Much Will These Permits Cost Me?

A fee will be collected for the permit, the inspections, and any other necessary services performed by DOH. The cost for inspection, site evaluation, and permitting for a new residential system is about \$200. The permitting and site evaluation to make repairs on an existing system is approximately \$100. If a system will be abandoned, DOH requires a \$40 permitting fee.

What Should I Do to Maintain the System?

The owner of the property is responsible for maintenance and upkeep of the system. Under DOH rules, you should check the level of the tank at least once every 3 to 5 years. Both the statute and the rules prohibit the use of organic chemical solvents to degrease or unclog the system. Pumping out the system requires a permit from the DOH, who will require proof that the proper pump, truck and expertise will be used.

What If I Abandon My Septic Tank?

In order to abandon a septic tank these steps must be followed:

- the property owner must obtain a permit from DOH.

- the septic tank should be pumped out.
- the bottom of the tank should be opened or ruptured to prevent water retention.
- the tank should be filled with clean sand or similar material.

A property owner who seeks to abandon a septic tank is not required to obtain a permit from DOH if a local utility or plumbing authority performs a system abandonment program.

Are There Alternatives to an On-site Sewage Disposal System?

The rules give the individual county public health departments the authority to approve alternative on-site systems, such as mounds, gravity sewers, low pressure pipes, and other systems, so long as the county feels there will be no adverse effects. The DOH retains authority to approve the use of temporary measures, like portable toilets, as well.

How Can I Be Excused from Complying with These Regulations?

The DOH rules also create a statewide board that hears requests for variances. The board has the power to excuse compliance from the rules where it finds compliance would be an undue burden on the applicant.

How Can I Prevent Nonpoint Source Pollution from Being Generated by My Agricultural Activities?

Nonpoint source pollution is the greatest cause of water quality problems. DEP has a Nonpoint Source Management Program in place to offer assistance to prevent nonpoint source pollution from agricultural activities. The Office of Agricultural Water Policy of the Florida Department of Agriculture and Consumer Services (DACS) is also an excellent source of information (850-488-6249).

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This handbook is designed to provide an accurate, current, and authoritative summary of the principal Florida laws that directly or indirectly relate to agriculture. It should provide a basic overview of the many rights and responsibilities farmers and farmland owners have under Florida laws. The reader is provided information about these rights and responsibilities and the appropriate contacts for more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this publication is based are subject to constant revision, portions of this publication could become outdated at any time. Many details of cited laws are also left out due to space limitations.

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