

CHAPTER 62-6
STANDARDS FOR ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS

62-6.001 General.

(1) The provisions of Part I (Rules 62-6.001 through ~~62-6.0151~~ ~~62-6.016~~, F.A.C.) of this chapter apply to all areas of the state except where specific provisions in ~~Part~~ Part II (Rules 62-6.017 through 62-6.0182, F.A.C.), addressing the Florida Keys, or specific provisions in ~~Part~~ Part IV (Rules 62-6.025 through 62-6.0295, F.A.C.), addressing performance-based treatment systems, exempt or modify compliance with ~~Part~~ Part I. Part III (Rules 62-6.019 through ~~62-6.024~~ ~~62-6.023~~, F.A.C.), addresses the registration of septic tank contractors, private provider inspectors and authorization of partnerships and corporations. Part V (Rule 62-6.030, F.A.C.) addresses fees for services throughout the chapter. The provisions of this chapter must be used in conjunction with Chapter 381 and Part III of Chapter 489, F.S.

(2) through (3) No change.

(4) Except as provided for in Section 381.00655, F.S., any existing and prior approved system which has been placed into use and which remains in satisfactory operating condition ~~must shall~~ remain valid for use under the terms of the rule and permit under which it was approved. Alterations that change the conditions under which the system was permitted and approved, sewage characteristics or increase sewage flow will require that the owner, or their authorized representative, apply for and receive reapproval of the system by the Department, prior to any alteration of the structure, or system. If an applicant requests that the Department consider the previous structure's or establishment's most recent approved occupancy, the applicant must provide written documentation that the onsite sewage treatment and disposal system was approved by the Department for that previous occupancy.

(a) An applicant will be required to complete Form DEP 4015, 08/09, Application for Construction Permit, herein incorporated by reference, and provide a site plan in accordance with paragraph 62-6.004(3)(a), F.A.C., to provide information of the site conditions under which the system is currently in use and conditions under which it will be used.

(b) The applicant ~~must shall~~ have all system tanks pumped by a permitted septage disposal service. A registered septic tank contractor, state-licensed plumber, person certified under Section 381.0101, F.S., or master septic tank contractor ~~must shall~~ determine the tank volume and ~~must shall~~ perform a visual inspection of the tank when the tank is empty to detect any observable defects or leaks in the tank. The tank volume ~~must shall~~ be obtained from the tank legend or ~~must shall~~ be calculated from measured internal tank dimensions for length, width and depth to the liquid level line or from the measured outside dimensions for length and width minus the wall thickness and depth to the liquid level line. For odd shaped tanks and tanks without a legend, metered water flows from the refilling of the tank may be used in lieu of measured inside or outside tank dimensions. The person performing the inspection ~~must shall~~ submit the results to the Department as part of the application using of Form DEP 4015.

(c) If a prior approved existing system has been approved within the preceding five years, and the system was determined to be in satisfactory operating condition at that time, a new inspection is not required unless there is a record of failure of the system. If it is determined that a new inspection is not required, only the application fee ~~will shall~~ be charged for this application and approval.

(d) If the use of a building is changed or if additions or alterations to a building are made which will increase domestic sewage flow, change sewage characteristics, or compromise the integrity or function of the system, the onsite sewage treatment and disposal system serving such building ~~must shall~~ be brought into full compliance with the provisions and requirements of these rules.

1. Proper well setbacks ~~must shall~~ be maintained.

2. Prior to any modification of the system, the owner ~~must shall~~ apply for and obtain a permit for modification of the system from the Department in accordance with Rule 62-6.004, F.A.C. The permit ~~is shall be~~ valid for 18 months from the date of issue. Where building construction has commenced, it ~~will shall~~ be valid for an additional 90 days.

3. Necessary site investigations and tests ~~must shall~~ be performed at the expense of the owner by either an engineer with soils training who is licensed in the state of Florida pursuant to Chapter 471, F.S., registered septic tank contractors, master septic tank contractors, or persons certified under Section 381.0101, F.S., or Department personnel for the appropriate fee specified in Section 381.0066, F.S.

(e) For residences, flows ~~must shall~~ be calculated using new system criteria for bedrooms and building area, including existing structures and any proposed additions. Table I and footnotes ~~will shall~~ apply. No part of the existing structure, or the addition to the structure ~~will shall~~ be allowed to cover any part of the system. Non-load bearing structures, such as a concrete patio floor, are allowed to cover the septic tank, provided that access to the tank is provided for maintenance. The structure above the septic tank ~~must shall~~ have a minimum opening of 225

square inches at each end of the septic tank for access into the tank. The structure ~~must shall~~ not be in direct contact with the tank. A barrier of soil or plastic ~~must shall~~ be used between the tank and non-load bearing structure. ~~A modification, replacement, or upgrade of an onsite sewage treatment and disposal system is not required for a remodeling addition if a bedroom is not added.~~ For those residences that add sewage flow, the system ~~must shall~~ be required to be altered to meet the following criteria:

1. The septic tank need not be replaced if it is structurally sound and is within one tank size of the required specifications found in Table II, for the proposed structure. An approved outlet filter ~~must shall~~ be installed if one is currently not in place. If existing tanks are not within one tank size of the required specifications found in Table II, for the proposed structure, they ~~must shall~~ be replaced or supplemented to meet current sizing requirements. If a new tank is installed in series, the resulting configuration must meet the sizing requirements for tanks-in-series in Rule 62-6.013, F.A.C.

2. The Department ~~shall~~ requires the existing drainfield to be increased to current rule drainfield size requirements for the proposed estimated sewage flow using the appropriate soil loading rate and sizing criteria for new systems. Where the existing elevation of the bottom surface of the drainfield is less than 24 inches above the wet season high water table, the bottom of the drainfield ~~must shall~~ be maintained at the existing separation or a minimum of 12 inches above the wet season high water table, whichever is greater.

3. Where the bottom of the drainfield is less than 12 inches above the wet season high water table, the drainfield ~~must shall~~ be brought into full compliance with all new system standards, as long as it is the intent of the applicant to proceed with the addition to the residence.

(f) For commercial establishments, the system ~~will shall~~ not be required to be altered if domestic sewage flow is not expected to increase by more than 20% of original design flow or require more than one tank size adjustment. A Department approved outlet filter device ~~must shall~~ be installed. Any system which is used to treat and dispose of commercial wastewater ~~must shall~~ be brought into full compliance with the provisions and requirements of current rules when there is any increase in sewage flow or increase in waste strength.

(g) These requirements do not authorize a residence or establishment to exceed the lot flow allowances authorized under paragraph 62-6.005(7)(c), F.A.C. Establishments that currently exceed lot flow allowances ~~must shall~~ not be allowed to increase sewage flow.

(h) The installation of a laundry system, a gray water system, a grease interceptor, or additional drainfield as a precautionary measure to prolong system functioning of an existing system is considered a modification to the system. Such installation is not a modification if it is associated with an increase in estimated sewage flow or change in sewage characteristics, if the system is in failure or if the existing system is in non-compliance with the terms of the original permit, in which case it will be considered a new system.

(i) If an existing system is disconnected from a structure that was made unusable or destroyed following a disaster, the system may be reconnected to a rebuilt structure per the provisions of ~~paragraph Section~~ 381.0065(4)(x), F.S., and paragraph 62-6.001(4)(j), F.A.C.

(j) The following requirements apply pursuant to paragraph 381.0065(4)(z), F.S.:

1. Notwithstanding paragraphs 62-6.001(4)(e) and (g), F.A.C., no existing system inspection or a modification, replacement or upgrade of the onsite sewage treatment and disposal system is required for the remodeling addition or modification of a single family home provided that no bedroom is added and the remodeling addition or modification does not cover any part of the existing system or encroach upon a required setback to the system or the required unobstructed area.

2. A remodeling addition or modification where no bedroom is added includes replacement, installation of accessory buildings or installation of pools and obstructions when the number of bedrooms after the project is the same or less than the number of bedrooms permitted by the Department.

3. An application including floor plans, and a site plan documenting the existing and proposed structures must be submitted to the Department in accordance with subparagraph 62-6.004(3)(a)1., F.A.C., and paragraph 62-6.004(3)(b), F.A.C. The Site Evaluation and System Specifications and Existing System and System Repair Evaluation forms in DEP 4015 are not required. The unobstructed area must be either the area required in paragraph 62-6.005(4), F.A.C., or the conditions most recently approved by the Department, whichever is less.

4. The Department will review the application and issue a determination if compliance with conditions of subsection 62-6.001(4), F.A.C., are met.

(5) No change.

(6) Citations issued by the Department pursuant to paragraph 381.0065(3)(h), F.S., will be issued on a Department approved form ~~shall be on Form DEP 3146, 11/02, Citation for Violation, Onsite Sewage Program/Sanitary Nuisance, hereby incorporated by reference.~~

(7) No change.

Rulemaking Authority 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.41, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.041, Amended 11-19-97, 2-3-98, 3-22-00, 9-5-00, 5-24-04, 11-26-06, 6-25-09, 4-28-10, 7-16-13, Formerly 64E-6.001, Amended _____.

62-6.024 Private Provider Inspectors.

(1) Audit process for a Private Provider Inspector – For audit purposes, the Department will maintain a record of all persons conducting an inspection of an onsite sewage treatment and disposal system as a private provider inspector. The Department will annually audit up to 25% of the private provider inspectors who performed inspections. The Department and the private provider inspector will coordinate to perform the audit. The private provider inspector must make themselves available for auditing during the Department’s normal business hours. The audit will consist of an assessment of the tools, methods and reporting used by a private provider inspector, to ensure the inspection follows regulatory requirements of the onsite sewage treatment and disposal system. The private provider inspectors will be audited to confirm compliance with the instructions stated on Form DEP 4016 p. 2, effective date xx-xx-xxxx, Construction Inspection and Final Installation Approval, herein adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and statutes and rule requirements for inspections performed by a private provider inspector. The audit will include a field compliance component, during which the private provider inspector is observed by the Department during a construction inspection, and a field verification component, during which inspection results documented on Form DEP 4016 p. 2, are compared with field conditions for a selection of systems inspected by the private provider inspector. The audit will also include a component to assess the accuracy of submitted inspection records and registry information. The private provider inspector is responsible for maintaining their records of the inspection and all related calculations for a minimum of three years from the date the inspection. The Department will maintain records on each private provider inspector based on information the private provider inspector submits to the Department pursuant to subsection 381.0065(8), F.S. Upon receiving information from a private provider inspector the Department will review and verify compliance with subsection 381.0065(8), F.S., and if the information documented shows non-compliance, or is insufficient with the requirements of subsection 381.0065(8), F.S., the Department will notify the private provider inspector of the information needed. Once the Department verifies the accuracy and completeness of all required information, the Department will assign the private provider inspector a registry number for audit purposes. Any change to license, registration, certification or engineer supervision status required by paragraph 381.0065(8)(c), F.S., must be reported to the Department within seven (7) days of the change. A private provider inspector working under the supervision of a licensed professional engineer must submit to the Department-Onsite Sewage Program, during the last quarter of each calendar year, a signed, sealed and dated statement from the licensed engineer under whose supervision they work to confirm the private provider inspectors status. The Department will update the private provider inspector registry on a continuing basis and the latest registry information can be obtained by contacting the Department-Onsite Sewage Program.

(2) Conflict of interest – The private provider inspector must not have a conflict of professional or personal interests in conducting the inspection, which would prevent them from performing the inspection in an unbiased, ethical manner.

(a) An inspection of an onsite sewage treatment and disposal system may not be conducted by the private provider inspector or authorized representative of the private provider inspector that installed the onsite sewage treatment and disposal system.

(b) A private provider inspector must not inspect a system when they are under the supervision and control of the installer of the system as defined by paragraph 62-6.019(3)(a), F.A.C.

(c) Private provider inspectors who are Master Septic Tank contractors qualified per subparagraph 381.0065(8)(c)2., F.S., must not inspect systems they, or the business they authorize, install, except as allowed per subsection 62-6.003(3), F.A.C., for repair construction inspections.

(d) Private provider inspectors who are public officers must comply with Section 112.313, F.S.

(3) Complaints and Enforcement – A private provider inspector is responsible to perform the inspection in compliance with the statutory requirements of the onsite sewage treatment and disposal system, and Chapter 62-6, F.A.C.

(a) A private provider inspector is subject to discipline by the applicable authority with jurisdiction over their license or certification under Chapter 381, Chapter 471 or Chapter 489, F.S. For private provider inspectors who are qualified pursuant to subparagraph 381.0065(8)(c)4., F.S., and who do not have an established professional licensing board, disciplinary action will be taken against the supervising engineer licensed under Chapter 471, F.S.

(b) A private provider inspector who violates provisions of this Chapter 62-6, F.A.C., section 381.0065 or Part

III of Chapter 489, F.S., is subject to enforcement through the Department, and for violations of other applicable regulatory requirements.

*Rulemaking Authority 381.0065(3)(a),381.0065(3)(c),381.0065(8)(h), FS. Law Implemented 381.0065, Part I 386
FS. New _____.*

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