

PURPOSE AND EFFECT: To implement the provisions of Section 627.0629, Florida Statutes, relating to credits for windstorm mitigation.

SUBJECT AREA TO BE ADDRESSED: Windstorm Mitigation.

SPECIFIC AUTHORITY: 624.307(1), 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 627.062, 627.0629(1) FS. IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 18, 2006, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Koon, Director, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: richard.koon@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON.

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE NO.: 690-170.0155 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose is to amend an existing form and make it more consumer friendly and provide additional information that will benefit the consumer. Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, sets forth mitigation credits. Section 627.711, F.S., requires the Commission to adopt a form for noticing premium discounts for hurricane loss mitigation.

SUBJECT AREA TO BE ADDRESSED: Revision of Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation.

SPECIFIC AUTHORITY: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 18, 2006, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: michael.milnes@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTRACT PERSON.

**Section II  
Proposed Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-16.001 RULE TITLE: Florida Commission on Hurricane Loss Projection Methodology

PURPOSE AND EFFECT: The Florida Commission on Hurricane Loss Projection Methodology is proposing the following rule in order to implement Section 627.0628, F.S. SUMMARY: Proposed Rule 19-16.001, F.A.C., addresses the composition and duties of the Florida Commission on Hurricane Loss Projection Methodology (Commission), provides definitions and adopts the 2006 standards and procedures for submission and review of hurricane loss projection models.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Beginning on March 1, 2007, the Public Model is required by law to come before the Commission. Since it has never come before the Commission, the costs to prepare the Public Model for Commission review is unclear. Other modelers are not required to bring their models to the Commission for review. These modelers have indicated in Commission meetings that it can cost in excess of \$500,000 to prepare a model for review by the Commission. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 627.0628 FS.

LAW IMPLEMENTED: 627.0628(1)(a), (c), (d), (2)(a), (b), (c), (d), (f), (3)(a), (d) FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 26, 2006, 9:00 a.m. – Noon (ET).

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracy L. Allen, Attorney for the Florida Commission on Hurricane Loss Projection Methodology, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341  
Any person requiring special accommodations to participate in this proceeding is asked to advise Donna Sirmons at least five (5) calendar days before such proceeding. Donna Sirmons may be reached by telephone at (850)413-1349 or by mail at P. O. Box 13300, Tallahassee, FL 32317-3300

THE FULL TEXT OF THE PROPOSED RULE IS:

19-16.001 Florida Commission on Hurricane Loss Projection Methodology.

(1) Authority and Duties. The Florida Commission on Hurricane Loss Projection Methodology (Commission) was created pursuant to Section 627.0628, F.S.

(a) The Commission is administratively housed within the State Board of Administration of Florida, but is required to independently exercise its statutory powers and duties.

(b) The Trustees of the State Board of Administration of Florida are required to annually appoint a Commission member to serve as Chair.

(c) The State Board of Administration, as a cost of administering the Florida Hurricane Catastrophe Fund, is required to provide for travel, expenses, and staff support for the Commission.

(d) The Commission members serve as a panel of experts in order to provide the most actuarially sophisticated guidelines and standards possible for the projection of hurricane losses given the current state of actuarial science. Such guidelines and standards are to be subject to continuous review and revised at least annually.

(e) The Commission is required from time to time to adopt findings as to the accuracy or reliability of particular methods, principles, standards, models, or output ranges.

(f) The Commission is required to consider any actuarial methods, principles, standards, models, or output ranges that have the potential for improving the accuracy of or reliability of the hurricane loss projections used in residential property insurance rate filings.

(2) Definitions.

(a) "Board" means the State Board of Administration of Florida.

(b) "Commission" means the Florida Commission on Hurricane Loss Projection Methodology.

(c) "FHCF" means the Florida Hurricane Catastrophe Fund.

(d) "Office" means the Office of Insurance Regulation, which was created in Section 20.121(3), F.S.

(e) "Report of Activities" or "Commission's Report of Activities" or "the Report of Activities of the Commission" or "Florida Commission on Hurricane Loss Projection Methodology Report of Activities" means the document of the Commission adopted annually, which revises and/or updates the Commission's standards and procedures for the purpose of specifying to the various entities what is necessary for the submission and review of a loss projection model or other loss projection methodology.

(3) Composition of Commission.

(a) The Commission shall consist of the following eleven members:

1. The insurance consumer advocate;

2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund;

3. The Executive Director of the Citizens Property Insurance Corporation;

4. The Director of the Division of Emergency Management of the Department of Community Affairs;

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council;

6. An employee of the Office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the Office;

7. An actuary who is employed full time by a property and casualty insurer which was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the Commission;

8. An expert in insurance finance who is a full time member of the faculty of the State University System and who has a background in actuarial science;

9. An expert in statistics who is a full time member of the faculty of the State University System and who has a background in insurance;

10. An expert in computer system design who is a full time member of the faculty of the State University System;

11. An expert in meteorology who is a full time member of the faculty of the State University System and who specializes in hurricanes.

(b) Members listed in subparagraphs (a)1. through 5. above, serve on the Commission for as long as the individual holds the position listed. The member appointed by the director

of the Office in subparagraph (a)6. above, serves until the end of the term of office of the director who appointed him or her, unless removed earlier for cause. The members listed in subparagraphs (a)7. through (a)11. above, who are appointed by the Chief Financial Officer for the State of Florida, serve until the end of the term of office of the Chief Financial Officer who appointed him or her, unless removed earlier for cause.

(c) Members are not entitled to compensation for their services but shall be reimbursed for per diem and travel expenses as provided in Section 112.061, F.S.

(4) Adoption of a Report of Activities.

(a) The Commission’s Report of Activities shall be revised annually and adopted annually by the Commission members acting in their capacities as a panel of experts.

(b) For calendar year 2007, the Commission adopts Form 16-1, entitled “Florida Commission on Hurricane Loss Projection Methodology Report of Activities as of November 1, 2006” which is hereby adopted and incorporated as a document for the purpose of providing standards and procedures for submission and review of hurricane loss projection models.

Specific Authority 627.0628 FS. Law Implemented 627.0628(1)(a), (c), (d), (2)(a), (b), (c), (d), (f), (3)(a), (d) FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robert Ricker, Chair, Florida Commission on Hurricane Loss Projection Methodology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Florida Commission on Hurricane Loss Projection Methodology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006, Vol. 32, No. 27

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: 40E-1.659  
RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: To incorporate by reference the following forms: a conservation restrictive covenant, conservation easements to be granted to the District allowing for standard, passive recreational, and riparian uses, and conservation easements with third party beneficiary rights allowing for standard, passive recreational and riparian uses.

SUMMARY: The regulated public will benefit by the incorporation of these forms into the District’s rules by reducing review time for both the applicants and District staff reviewers and by ensuring that the forms are consistent with the requirements of Section 704.06, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District’s determination that the proposed revisions will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 12, 2006, 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to abain@sfwmd.gov. For procedural questions please contact: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6299, or by email to jsluth@sfwmd.gov. Copies of the forms are located on the District’s website at: my.sfwmd.gov/permitting in the right hand column under “rule development”. Copies can also be obtained by contacting Jan Sluth, Paralegal at the contact information provided above.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

Form No.	Date	Title			
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.	0483	9-04	Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida	0645-W01 0645-G60 0645-G61-1 0645-G61-2 0645-G65 0645-G74	8-03 8-03 8-03 8-03 8-03 8-03	Water Use Permit Application (RC-1A, RC-1W, RC-1G) Table A Descriptions of Wells Table B Description of Surface Water Pumps Table C Description of Culverts Table D Crop Information Table E Water Received From or Distributed to Other Entities
0113	8-95	Surface Water Management Permit No.	0645-G69	8-03	Table F Past Water Use & Table G Projected Water Use
0115	8-95	Surface Water Management Permit Modification No.	0645-G70	8-03	Table H Projected Water Use (For Per Capita Greater than 200 GPD)
0119	8-95	Wetland Resource Permit No.	0645-G71	8-03	Table I Water Treatment Method and Losses
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District	0645-G72	8-03	Table J Aquifer Storage and Recovery
0123	4-95	Well Construction Permit Application	0645-G73	8-03	Table K Water Supply System Interconnections
0124	11-90	Well Completion Report	0779	5-92	Guidance for Preparing an Application for a "Works of the District" Permit in the Everglades/Application for a Works of the District Permit
0145	8-95	Environmental Resource Permit No.			
0157	8-95	Environmental Resource Permit Modification No.			
0188-QMQ	8-03	Quarterly Report of Withdrawals			
0188-MDQ	8-03	Monthly Report of Daily Withdrawals	0830	4-94	Special Use Application and License
0188-QASR	8-03	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells	0881A	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification
0188-QMON	8-03	Quarterly Report of Monitoring Requirements	0881B	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995
0188-QMQF	8-03	Quarterly Report of Withdrawals from Wells and Surface Water Pumps			
0188-QCROP	8-03	Report of Planting and Harvest of Seasonal Crops			
0188-QBWDR	8-03	Quarterly Report of Bulk Water Delivered and Received	0889	9-04	Certification of Waiver of Permit Application Processing Fee
0195	6-91	Public Water Supply Well Information and Classification	0920	9-04	Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity
0196	10-89	Water Well Inspection Scheduling Card			
0299	1-90	Water Use Permit No.			
0444	8-95	Application for a Standard General Permit for Incidental Site Activities	0941	8-95	Environmental Resource Standard/Noticed General Permit No.
0445	8-03	Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G)	0942	8-95	Surface Water Management General Permit No.

0960	9-04	Environmental Resource/Surface Water Management Permit Construction Commencement Notice	<u>1190</u>	—	<u>Deed of Conservation Easement (Standard)</u>
0961	9-04	Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction	<u>1191</u>	—	<u>Deed of Conservation Easement (Standard Passive Recreational)</u>
0970	2-04	Applicant Transmittal Form for Requested Additional Information	<u>1192</u>	—	<u>Deed of Conservation Easement (Standard Riparian)</u>
0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit	<u>1194</u>	—	<u>Deed of Conservation Easement (Third Party Standard)</u>
0972	8-95	Petition for a Formal Wetland and Surface Water Determination	<u>1195</u>	—	<u>Deed of Conservation Easement (Third Party Passive Recreational)</u>
0973	8-95	Above Ground Impoundment Inspection/Certification Report	<u>1196</u>	—	<u>Deed of Conservation Easement (Third Party Riparian)</u>
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System	<u>1197</u>	—	<u>Restrictive Covenant (Standard)</u>
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit			(2)(a) through (g) No change.
1019	9-04	Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance			Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, <u>704.06</u> FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, <u>704.06</u> FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20,04, 2-12-06,
1020	9-04	Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance			NAME OF PERSON ORIGINATING PROPOSED RULE: Anita R. Bain, Division Director, Environmental Resource Regulation, Natural Resource Management Division NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006
1021	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance			<b>WATER MANAGEMENT DISTRICTS</b> <b>South Florida Water Management District</b> RULE NO.: 40E-4.091 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference
1022	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance			PURPOSE AND EFFECT: To ensure any conservation easements, restrictive covenants or plat restrictions placed over property included in an environmental resource permit will be consistent with Section 704.06, Florida Statutes.
1023	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance			SUMMARY: The District proposes to specify the language requirements for plat restrictions and to reference forms incorporated into the rules that will constitute consistency with Section 704.06, Florida Statutes, while still allowing flexibility for site specific factors to be considered in finalizing the documents.
1024	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance			SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District's determination that the proposed revisions will not result in a
1105	6-02	Performance Bond to Demonstrate Financial Assurance			
1106	6-02	Irrevocable Letter of Credit to Demonstrate Financial Assurance			
1109	8-03	Water Use General Permit			
1189	2-06	Notice of Environmental Resource or Surface Water Management Permit			

substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.103(8), 373.113, 373.171, 373.413, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 704.06 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 12, 2006, 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to abain@sfwmd.gov. For procedural questions please contact Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6299, or by email to jsluth@sfwmd.gov. Information regarding this rulemaking effort is also located on the District's website at: my.sfwmd.gov/permitting in the right hand column in the link entitled "Rule Development".

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – \_\_\_\_\_ 2-12-06".

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413, 704.06 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, \_\_\_\_\_.

(The following represents proposed changes to the document entitled "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 2-12-06" incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.8 Real Property Conveyances and Restrictions

(a) All conservation easements and restrictive covenants pursuant to Section 704.06, F.S., shall be granted in perpetuity without encumbrances, unless such encumbrances do not have the potential to adversely affect the ecological viability of the mitigation. All liens against the conservation easement area preserved pursuant to Section 704.06, F.S., site shall be released, subordinated to, or joined with the conservation easement or restrictive covenant. ~~All~~ Conservation easements and restrictive covenants shall be consistent with Section 704.06, F.S.; and shall contain restrictions that ensure the ecological viability of the site.

(b) Plat restrictions proposed to meet the requirements of Section 704.06, F.S., and Section 4.3.2.2 must contain the language contained in Section 704.06(1)(a)-(h), F.S. In order to provide reasonable assurance of the preservation of the protected area in accordance with the permit in perpetuity, plat language shall provide the District a third-party right to enforce the restrictions of Section 704.06, F.S., and shall further provide that the Section 704.06, F.S., plat restrictions cannot be altered, released or revoked without the prior written consent of the District.

(c) The use of Form No(s) 1190-1192 and 1194-1197, referenced in Rule 40E-1.659, F.A.C., shall constitute consistency with Section 704.06, F.S. Where project specific conditions warrant deviation from the language of the accepted forms, alternative language may be accepted as long as it meets the provisions, purpose and intent of Section 704.06, F.S., and this Basis of Review.

~~(d)~~(b) All real property conveyances shall be in fee simple and by statutory warranty deed, special warranty deed, or other deed, without encumbrances that adversely affect the integrity of the preservation objectives. The District shall also accept a quit claim deed if necessary to aid in clearing minor title defects or otherwise resolving boundary questions.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anita R. Bain, Division Director, Environmental Resource Regulation, Natural Resource Management Division

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NO.: 40E-4.091  
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To incorporate language which clarifies that the Uniform Mitigation Assessment Method (UMAM) found in Rule 62-345, F.A.C., is applicable to all applications received on or after February 2, 2004.

SUMMARY: Sections 4.3. 4.3.2 – 4.3.2.4 regarding Mitigation Ratio Guidelines are superseded by Rule 62-345, F.A.C. for all applications received on or after February 2, 2004.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost has not been prepared based on the District’s determination that the proposed revisions will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.413 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 12, 2006, 9:00 a.m.  
 PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, (561)682-6436 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anita Bain, Division Director, Natural Resource Management Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension

6866 or (561)682-6866 (email: abain@sfwmd.gov), or for procedural issues, Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299 (email: jsluth@sfwmd.gov). Information regarding this rulemaking effort is also located on the District’s website at: my.sfwmd.gov/permitting and clicking on the rule development/rulemaking link located in the right hand column.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – \_\_\_\_\_ ~~2-12-06~~”.

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.413, 373.4135, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06,

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 2-12-06” incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.2 Mitigation Ratio Guidelines

a. For applications received on or after February 2, 2004, except as provided in Rule 62-345, F.A.C., Sections 4.3.2 – 4.3.2.4 are superseded by Rule 62-345, F.A.C.

b. Subsections 4.3.2 – 4.3.2.4 establish ratios for the acreage of mitigation required compared to the acreage which is adversely impacted by regulated activities. Ranges of ratios are provided below for certain specific types of mitigation, including creation, restoration, enhancement and preservation. Mitigation ratios for wetlands which have a 50% or greater coverage of melaleuca (*Melaleuca quinquenervia*), will be determined pursuant to subsection 4.3.2.4. and other provisions of this section. The difference between the ranges of ratios provided for mitigation types is based on the degree of improvement in ecological value expected from each type. Creation and restoration are assigned the lowest range of ratios as these activities, when successfully conducted, add new wetlands or other surface waters which provide the same or similar functions as the area being adversely impacted. The range of ratios established for enhancement is higher than that

for creation and restoration, as the area being enhanced currently provides a degree of the desired functions, and this type of mitigation serves to increase, rather than create, those functions. Preservation differs from the other types of mitigation in that it does not serve to improve the existing ecological value of an area in the short term. However, preservation does provide benefits as it can ensure that the values of the preserved area are protected and maintained in the long term, particularly when these values are not fully protected under existing regulatory programs. Therefore, the range of ratios established for preservation is higher than those for other types of mitigation. These ratios are provided as guidelines for preliminary planning purposes only. The actual ratio needed to offset adverse impacts may be higher or lower based on a consideration of the factors listed in subsections 4.3.2.1 through 4.3.2.4. For example, in instances where the proposed system results in only a small loss of ecological value in the impacted area, such as cases involving impacts to areas of low ecological value or cases where the proposed system results in a small reduction of ecological value of the impacted area, then the actual mitigation ratio would normally be in the lower end of or below the range. For other types of mitigation, ratios will be determined based upon the reduction in quality and relative value of the functions of the areas adversely impacted as compared to the expected improvement in quality and value of the functions of the mitigation area.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anita Bain, Division Director, Natural Resource Management Division

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NO.:	RULE TITLE:
61G3-16.0092	Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to change the time for providing list of attendees taking the course for continuing education purposes from 5 business days to 30 business days and to add prior to the licensee's renewal date, whichever occurs sooner.

SUMMARY: The proposed rule amendment will change the time for providing list of attendees taking the course for continuing education purposes from 5 business days to 30 business days and to add prior to the licensee's renewal date, whichever occurs sooner.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2228, 476.064(4) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 455.2228 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.0092 Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements.

(1) through (5) No change.

(6) Providers shall maintain a system of recordkeeping which provides for storage of approved courses. Providers shall maintain a roster of participants for four years. The records and roster shall be available for inspection by the Board or Department. Providers must electronically provide to the Department a list of attendees taking the course for continuing education purposes within 30 ~~5~~ business days of the completion of the course or prior to the licensee's renewal date, whichever occurs sooner. The list of attendees submitted electronically to the Department shall not include applicants taking the course for initial licensure. For home study courses, the provider must electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the licensee. This list shall include the provider's name and provider number, the name and license number of the attendee, the date the course was completed and the course number. Failure to comply with the time and form requirements will result in disciplinary action taken against the provider.

Specific Authority 455.2228, 476.064(4) FS. Law Implemented 455.2178, 455.2179, 455.2228 FS. History--New 9-12-01, Amended



NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Construction Industry Licensing Board**

RULE NO.: 61G4-12.017  
RULE TITLE: Reinstatement and Relicensure  
PURPOSE AND EFFECT: The Board proposes to change the language so that the statement applies to both situations in which a person has been revoked or voluntarily relinquished.  
SUMMARY: The proposed rule amendment is regarding the relicense of contractors whose certification or registration has been revoked or voluntarily relinquished.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 489.108 FS.  
LAW IMPLEMENTED: 489.111, 489.113, 489.115, 489.117, 489.129 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G.W. Harrell, Executive Director, Board Construction Industry Licensing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G4-12.017 Reinstatement and Relicensure.
- (1) through (2) No change.
- (3)(a) The Board will not relicense a contractor whose certification or registration has been revoked or voluntarily relinquished until appropriate rehabilitation (to include restitution if suitable) has been shown. All provisions of any final orders entered against the contractor must be complied with.
- (b) The Board will not relicense a contractor whose certification has been revoked or voluntarily relinquished unless he passes the current licensing examination and meets all other requirements for certification.

(c) The Board will not accept for registration the license of an individual whose license has not previously been revoked or voluntarily relinquished, unless the jurisdiction requesting registration requires the individual to meet all current requirements to demonstrate competency, including examination, if required of other new registrants.

(d) Any person whose license has previously been revoked or voluntarily who relinquished his license for any reason must appear before the Board and gain approval prior to being allowed to seek recertification through the examination, or registration in a jurisdiction.

(4) No change.

Specific Authority 489.108 FS. Law Implemented 489.111, 489.113, 489.115, 489.117, 489.129 FS. History--New 8-12-84, Formerly 21E-12.17, Amended 5-29-88, 8-8-88, 12-21-92, 3-24-93, Formerly 21E-12.017, Amended 11-4-93,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board Construction Industry Licensing  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board Construction Industry Licensing  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 16, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-5.0033  
RULE TITLE: Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: The Board proposes a rule amendment to address the requirements for consolidated and combined financial statements.

SUMMARY: The proposed amendment requires that the Generally Accepted Accounting Principles (GAAP) Rule 61H1-22.003, F.A.C., be followed when electing to submit consolidated financial statements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, Department of Business and Professional Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.0033 Consolidated and Combined Financial Statements

(1) An employee leasing company or an employee leasing group may submit consolidated audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as the entity exercising control over the entities that are reporting on a consolidated basis is a member of the employee leasing company group, or in the case of an ELC license, as long as the entity exercising control is a properly licensed employee leasing company and there are cross guarantees for all both entities licensed under Chapter 468, Part XI, Florida Statutes. Consolidation principles provided in Generally Accepted Accounting Principles (GAAP) Rule 61H1-22.003, F.A.C. shall be followed when electing to submit consolidated financial statements. "Control" is defined as ownership of more than fifty (50) percent of the voting stock of all reporting entities. Non-licensed entities may be included in the consolidated statements so long as the foregoing requirements are met.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 5-26-96, Amended 9-5-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 21, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: 61G18-12.019  
 RULE TITLE: Reinstatement of a Null and Void Licensee Fee

PURPOSE AND EFFECT: The purpose and effect of the rule is to establish the fee amount and application forms for reinstatement of a null and void license.

SUMMARY: The rule established a fee of \$260.00 and incorporates forms DBPR PRO 4951, DBPR PRO 4952, AND DBPR PRO 4953 which are to be utilized in the reinstatement of a null and void license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 4 74.206, 474.215, 455.219 FS.

LAW IMPLEMENTED: 4 74.215, 4 55.219, 4 55.271 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-12.019 Reinstatement of a Null and Void License Fee.

Each application (DBPR PRO 4951, DBPR PRO 4952, and DBPR PRO 4953) for reinstatement of a null and void license must be accompanied by payment of a fee of \$260.00.

Specific Authority 474.206, 474.215, 455.219 FS. Law Implemented 474.215, 455.219, 455.271 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2004  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-30.003  
 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word "notarized" from the statement requirement.

SUMMARY: The proposed rule amendment removes the word "notarized" from the statement requirement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B8-30.003 Physician Assistant Licensure.
- (1) through (2) No change.
- (3) The applicant must submit ~~notarized~~ statements containing the following information:
  - (a) through (c) No change.
  - (4) through (5) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History--New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-6.003      RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove the word "notarized" from the statement requirement.

SUMMARY: The proposed rule amendment removes the word "notarized" from the statement requirement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 459.005, 459.022 FS.

LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B15-6.003 Physician Assistant Licensure.
- (1) through (3) No change.
- (4) The applicant must submit ~~notarized~~ statements containing the following information:
  - (a) through (c) No change.
  - (5) No change.

Specific Authority ~~458.347(7)~~, 459.005, 459.022 FS. Law Implemented 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 FS. History--New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-19.002      RULE TITLE: Violations and Penalties

PURPOSE AND EFFECT: The Board proposes the development of this rule to revise the existing language of the rule.

SUMMARY: The existing language of the rule is revised.

SUMMARY OF ESTIMATED OF STATEMENT OF REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a deion of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation deion.

(1) through (25) No change.

	MINIMUM	MAXIMUM
(26) Repeated Malpractice as defined in Section 456.50, F.S. (459.015(1)(x), F.S.)		
FIRST OFFENSE	Revocation or denial of license and fine of \$1,000 denial or probation and \$7,500 fine	Revocation or denial of license and fine of \$10,000 denial or revocation and \$10,000 fine
SECOND OFFENSE	denial or suspension to be followed by probation and \$7,500 fine	denial or revocation and \$10,000 fine

(27) Failure to practice medicine in accordance with appropriate level of care, skill and treatment recognized in general law related to the practice of medicine with level of care, skill, and treatment recognized by a reasonably prudent physician as acceptable under similar conditions and circumstances. (456.50(1)(g), F.S.), (459.015(1)(x), F.S.)

FIRST OFFENSE	Letter of Concern, up to one (1) year denial or probation and \$1,000 \$5,000 fine	Denial or revocation suspension to be followed by probation and \$10,000 \$7,500 fine
SECOND OFFENSE	Two (2) year denial or suspension to be followed by probation and \$7,500 fine	No change

(28) through (58) No change.

Specific Authority 456.079, 459.015(5) FS. Law Implemented 456.072, 456.079, 456.50 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98, 2-11-01, 6-7-01, 2-26-02, 12-7-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 7, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems
64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Holding Tanks
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.014	Construction Standards for Drainfield Systems
64E-6.015	Permitting and Construction of Repairs
64E-6.018	System Location, Design and Maintenance Criteria
64E-6.0181	Cesspit and Undocumented System Replacement and Interim System Use

- 64E-6.019 Requirements for Registration
- 64E-6.020 Master Septic Tank Contractors
- 64E-6.021 Issuance of Registration Certificates and Renewal
- 64E-6.025 Definitions
- 64E-6.026 Applications for Innovative System Permits and System Construction Permits
- 64E-6.030 Fees

PURPOSE AND EFFECT: The proposed changes to Chapter 64E-6, Florida Administrative Code, address the changes recommended by the Technical Review and Advisory Committee, address the concerns of the Joint Administrative Procedures Committee, and incorporate statutory changes from the 2006 legislative session. Throughout the chapter, the term "Registered Engineer" is replaced by the term "Licensed Engineer". The bureau website is listed as a source for referenced forms and materials. Repair permits are no longer required to splice drip emitter lines. Site plans are required to show existing and proposed excavation areas and the locations of the elevation reference point and the evaluators test borings. Coastal control permits from the Department of Environmental Protection are required before the issuance of system construction permits in affected areas. Design engineers are required when residential or establishment flows are split, systems have 1500 square feet or more drainfield, an engineer-designed system is repaired or modified, or where the seasonal high water table is altered by physical or mechanical means. The changes clarify that pump tank capacity is total capacity and that the capacity label on a service truck is the waste storage tank capacity. Portable restroom companies will be required to maintain a list of the date of installation for each portable holding tank and that portable holding tanks need to be labeled similarly to portable restrooms. Individual installation permits for portable holding tanks will no longer be required. Aerobic treatment unit manufacturers need to demonstrate that the entire state is covered by maintenance entities before the department will approve an installation of their product. The standards for concrete, fiberglass and polyethylene treatment receptacles are clarified. Receptacles of other materials are prohibited. Numerous tank test and design standards were modified. The proposals allow low pressure dosing systems having less than 1500 square feet of drainfield to be designed by master septic tank contractors and provide design specifications for such systems. The number of annual continuing education hours required for registered septic tank contractors and master septic tank contractors increased to 12 hours and 18 hours annually, respectively. Workers compensation is no longer one of the criteria for demonstrating an employer/employee relationship with a registered septic tank contractor.

SUMMARY: Areas addressed include general provisions; definitions; system design specifications, site evaluation, permitting, location and installation; regulation of septage,

grease, holding tanks and portable toilets; management of aerobic treatment units; construction of treatment receptacles, drainfields and system repairs; interim system use in the Florida Keys; septic tank contractor and master contractor registration and renewal; innovative system permitting; and fees.

SUMMARY OF ESTIMATED OF STATEMENT OF REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 154.06(1), 381.0011(4), 381.0011(13), 381.006, 381.0065(3)(a), 381.0066, 489.553(3), 489.557(1) FS.

LAW IMPLEMENTED: 381.012, 386.025, 381.0061, 381.0065, 381.00655, 381.066, 381.0067, 386.041, 489.552, 489.553, 489.554, 489.557 FS., Ch. 2001-337, LOF.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 25, 2006, 10:00 a.m.

PLACE: Bureau of Community Environmental Health, Conference Room 225Q, Capital Circle Office Center, 4042 Bald Cypress Way, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Susan Polangin, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-6.001 General.

(1) The provisions of Part I of this ~~Chapter rule~~ shall apply to all areas of the state except where specific provisions of law or other parts of this Chapter provide a specific exemption or modification to those provisions. ~~The provisions of this Chapter must be used in conjunction with Chapter 381 and Part III, Chapter 489, F.S. found in Part II which specifically addresses the Florida Keys, or specific provisions found in Part IV which specifically address performance based treatment systems, exempt or modify compliance with Part I or Part II requirements. Performance based treatment systems are~~

~~intended as an alternative to the systems conforming to the preive standards detailed in Parts I and II of this rule and shall be used only for a single family residence. Designs for performance-based treatment systems allow for the use of alternative and innovative methods, materials, processes, and techniques that reduce the total biological, chemical, hydraulic, organic, nutrient, bacterial and viral discharge to the environment. Where used, the performance-based treatment systems shall be designed, operated, constructed, maintained and used in conformance with s. 381.0065(4)(j), F.S. Part III addresses the registration of septic tank contractors and certification of partnerships and corporations. Part V addresses fees for Parts I, II, III, and IV of this rule.~~

~~(2) Structures Except for places of employment meeting the provisions of Rule 64E 10, F.A.C., buildings used or intended for human occupancy, employment or service to the public and locations where people congregate, such as construction sites, fairs, and field locations for agricultural workers shall provide connect toilets and other wastewater generating fixtures to an approved wastewater treatment and disposal systems. Except for the provisions of Rule 64E-6.0101, F.A.C., permanent structures shall not rely upon the use of holding tanks and portable toilets for wastewater treatment and disposal. Also, property or locations where people congregate, are employed, or where property is used by the public for temporary and short periods, such as construction sites, fairs, carnivals, revivals, field locations for agricultural workers, encampments or other use shall be provided with an approved wastewater treatment and disposal system. Establishments with permanent structures shall not rely upon systems designed for temporary use as the primary means of wastewater treatment and disposal.~~

~~(3) Combination of commercial and domestic sewage into a single system shall require that all the sewage be treatment as commercial sewage. Use of holding tanks and portable toilets shall be in accordance with the provisions of Rule 64E-6.010(10), F.A.C.~~

~~(4) Except as provided for in other provisions of law s. 381.00655, F.S., any existing and prior approved system which has been placed into use and which remains in satisfactory operating condition 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 DOH county health 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. An applicant will be required to complete~~

Form DH 4015, 10/97, Application for Onsite Sewage Treatment and Disposal System Construction Permit, herein incorporated by reference, and provide a site plan in accordance with paragraph Rule 64E-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. The applicant shall have all system tanks, pumped by a permitted septage disposal service to determine tank volume based on the actual measurements of the tank. The service pumping the tank shall perform a visual inspection of the tank when the tank is empty to detect any observable defects or leaks in the tank, and shall submit the results to the DOH county health department as part of the application. If a prior approved existing system has been approved by the DOH county health department within the preceding three 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 shall be charged for this application and approval. A commercial system out of service for more than one year shall be brought into full compliance with current requirements of this Chapter prior to the system being placed into service. 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 shall be brought into full compliance with the provisions and requirements of these rules. Proper well setbacks shall be maintained. Prior to any modification of the system, the owner shall apply for and obtain a permit for modification of the system from the county health department in accordance with Rule 64E-6.004. The permit shall be valid for 18 months from the date of issue. Where building construction has commenced, it shall be valid for an additional 90 days. Necessary site investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed registered in the state of Florida pursuant to Chapter 471, F.S., registered septic tank contractors, master septic tank contractors, or persons certified under Section s. 381.0101, F.S., or department personnel for the appropriate fee specified in Section s. 381.0066, F.S.

(a) through (g) No change.

(5) through (6) No change.

(7) All materials forms incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at [www.MyFloridaEH.com](http://www.MyFloridaEH.com) or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 ~~by contacting the department.~~

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10-6.41, 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, \_\_\_\_\_.

64E-6.002 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings indicated:

(1) through (46) No change.

(47) Repair – replacement of or modifications or additions to a failing system which are necessary to allow the system to function in accordance with its design or must be made to eliminate a public health or pollution hazard. Servicing or replacing with like kind mechanical or electrical parts of an approved onsite sewage treatment and disposal system; or making minor structural corrections to a tank, or distribution box, does not constitute a repair. The use of any treatment method that is intended to improve the functioning of any part of the system, or to prolong or sustain the length of time the system functions, shall be considered a repair. The use of any non-prohibited additive by the system owner, through the building plumbing, shall not be considered a repair. Removal of the contents of any tank or the installation of an approved outlet filter device, where the drainfield is not disturbed, shall not be considered a repair. Replacement of a broken lid to any tank shall not be considered a repair. Splicing a drip emitter line where no emitter is eliminated shall not be considered a repair.

(48) through (55) No change.

(56) Toxic or hazardous chemical – as defined by Section ~~381.0065(2)(p) (n)~~, F.S.

(57) through (59) No change.

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a) FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.42, Amended 3-17-92, 1-3-95, Formerly 10D-6.042, Amended 11-19-97, 3-22-00, \_\_\_\_\_.

64E-6.003 Permits.

(1) No change.

(2) System Inspection – Before covering with earth and before placing a system into service, a person installing or constructing any portion of an onsite sewage treatment and disposal system shall notify the county health department of the completion of the construction activities and shall have the system inspected by the department for compliance with the requirements of this Chapter, except as noted in subsection ~~381.0065(2)(p) (n)~~ 64E-6.003(3), F.A.C., for repair installations.

(a) through (b) No change.

(c) Final installation approval shall not be granted until the DOH county health department has confirmed that all requirements of this Chapter, including building construction and lot grading are in compliance with plans and specifications submitted with the permit application.

1. In addition, if the system was designed by an engineer, who shall be licensed ~~registered~~ in the State of Florida, the DOH county health department shall require the design engineer or the design engineer’s designee, who shall be a licensed ~~registered~~ engineer, to certify that the installed system complies with the approved design and installation requirements. Single family residences are excluded from this requirement, however, all changes to the engineering specifications shall be approved by the design engineer.

2. No change.

(d) through (e) No change.

(3) through (5) No change.

(6) All materials ~~forms~~ incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 154.06(1), 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.43, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.043, Amended 3-22-00, 4-21-02, 5-24-04, \_\_\_\_\_.

64E-6.004 Application for System Construction Permit.

(1) through (2) No change.

(3) The suitability of a lot, property, subdivision or building for the use of an onsite sewage treatment and disposal system shall be determined from an evaluation of lot size, anticipated sewage flow into the proposed system, the anticipated sewage waste strength, soil and water table conditions, soil drainage and site topography and other related criteria. Necessary site investigations and tests shall be performed at the expense of the owner by either an engineer with soils training who is licensed ~~registered~~ in the State of Florida pursuant to Chapter 471, F.S. Florida Statutes, by department personnel, registered septic tank contractors, master septic tank contractors, and persons certified under Section 381.0101, F.S. Registered septic tank contractors shall perform site evaluations for system repairs only. When determining that the necessary site investigations and tests be performed by, ~~or under the responsible supervision, direction and control of~~ an engineer licensed ~~registered~~ in the State of Florida, the county health department must consider the criteria listed in subsection ~~Rule~~ 64E-6.004(4), F.A.C. Results of site investigations shall be entered on, or attached to, the construction permit application form for consideration by the county health department. The application shall also include the following data:

(a) A plan or plat of the lot or total site ownership. The site plan shall be drawn to scale and shall be for the property where the system is to be installed.

1. The site plan shall show ~~drawn to scale showing~~ boundaries with dimensions and any of the following features that exist or that are proposed:

a. ~~locations of any existing or proposed residences or buildings~~ Structures;

b. Swimming pools;

c. Recorded easements;

d. ~~the~~ Onsite sewage treatment and disposal system components ~~and their location on the property, the~~

e. Slope of the property

f. ~~and any existing or proposed~~ Wells;

g. Potable and non-potable water lines; ~~and including~~ valves;

h. Drainage features;

i. Filled areas;

j. Excavated areas for onsite sewage systems;

k. Obstructed areas;

l. ~~And~~ surface water bodies; ~~and~~

m. Location of the reference point for system elevation.

2. ~~The site plan shall be for the property where the system is to be installed.~~ If the county health department is responsible for performing the site evaluation, the applicant or applicant's authorized representative shall indicate the approximate location of wells, onsite sewage treatment and disposal systems, surface water bodies and other pertinent facilities or features on contiguous or adjacent property. If the features are within 75 feet of the applicant lot, the estimated distance to the feature must be shown but need not be drawn to scale.

3. If the county health department will not be performing the site evaluation, the applicant or authorized agent shall be responsible for the measurements to all features, including the pertinent features within 75 feet of the applicant lot. The location of any public drinking water well, as defined in paragraph Rule 64E-6.002(44)(b), F.A.C., within 200 feet of the applicant's lot shall also be shown, with the distance indicated from the system to the well.

4. If an individual lot is five acres or greater, the applicant may draw a minimum one acre parcel to scale showing all required features, or the minimum size drawing necessary to properly exhibit all required features, whichever is larger. The applicant must also show the location of that one acre or larger parcel inside the total site ownership.

5. All information that is necessary to determine the total sewage flow and proper setbacks on the site ownership shall be submitted with the application. The applicant lot shall be clearly identified. A copy of the legal deion or survey must accompany the application for confirmation of property dimensions only.

(b) No change.

(c) At least two soil profile deions within the proposed system soil absorption area to a minimum depth of six feet or to refusal, for which the minimum information provided is the upper and lower horizon boundaries, Munsell color of the horizon and its components and USDA soil texture; using USDA Soil Classification methodology as described in chapter 3 of the Soil Survey Manual, United States Department of Agriculture, Handbook No. 18, October 1993, herein incorporated by reference. At a minimum, a soil profile shall be provided at the beginning and end of the proposed drainfield site. Where the replacement of severely limited soil is proposed, soil profiles shall be performed to a minimum depth of 6 feet or to the depth of the slightly or moderately limited soil layer lying below the replaced layer, whichever is greater. The evaluator shall document the locations of all soil profiles on the site plan.

(d) through (e) No change.

(f) A Coastal Construction Control Line Permit or an exemption notice from the Department of Environmental Protection if any component of the onsite sewage treatment and disposal system or the shoulders or slopes of the system mound will be seaward of the Coastal Construction Control Line, established under Section 161.053, F.S. Should the location of the proposed onsite system relative to the control line not be able to be definitively determined based on the site plan and the online products available on the DEP website, the applicant shall provide a survey prepared by a certified professional surveyor and mapper showing the location of the control line on the subject property.

(4) ~~The DOH county health department may require for review and approval, the submission of detailed system construction plans prepared by an engineer who is registered in the State of Florida. In determining whether the detailed system construction plans may be required, the department will consider the size of the system, the amount and type of sewage generated by the establishment, the degree of deviation from a standard subsurface drainfield system, any alternative system treatment requirements, and any unusual or varying soil conditions. For establishments with proposed domestic sewage flow rates more than 2500 gallons per day, or commercial sewage flow rates more than 1000 gallons per day, the DOH county health department shall require for review and approval, the submission of detailed system construction plans prepared by an engineer who is registered in the State of Florida.~~ All plans and forms submitted by a licensed registered engineer shall be dated, signed and sealed. Except as provided for in subsection Rule 64E-6.003(2), F.A.C., the DOH county health department shall require the design engineer to certify that the installed system complies with the approved design and installation requirements. Under the following circumstances, the DOH county health department shall



require for review and approval, the submission of detailed system construction plans prepared by an engineer who is licensed in the State of Florida:

- (a) Systems serving establishments with proposed domestic sewage flow rates of 2500 or more gallons per day.
  - (b) Systems serving establishments with proposed commercial sewage flow rates of 1000 or more gallons per day.
  - (c) Systems where the total required drainfield area is 1500 square feet or greater.
  - (d) The applicant proposes to split the flow from any residence or establishment in a method other than that provided for by rule.
  - (e) The repair or modification of an engineer-designed system that meets these criteria for requiring an engineered design and that alters the original engineered design.
  - (f) All performance based treatment systems.
  - (g) All innovative systems.
  - (h) All sites where the seasonal high water table has or will be altered by physical or mechanical means.
  - (i) All sites requiring engineer designs as a condition of a variance or waiver approval.
  - (j) All drip irrigation systems.
- (5) through (8) No change.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), 489.553(3) FS. Law Implemented ~~154.01~~, ~~381.001(2)~~, ~~381.0011(4)~~, ~~381.0012~~, ~~381.0025~~, ~~381.006(7)~~, ~~381.0061~~, 381.0065, 381.00655, ~~381.0067~~, ~~386.041~~, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.44, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.044, Amended 11-19-97, 3-22-00, \_\_\_\_\_.

64E-6.006 Site Evaluation Criteria.

Onsite sewage treatment and disposal systems may be utilized where lot sizes are in compliance with requirements of subsection Rule 64E-6.005(7), F.A.C., and all of the following criteria are met:

- (1) The effective soil depth throughout the drainfield installation site extends 42 inches or more below the bottom surface of the drainfield. Paragraphs (a), (b) and (c) list soil texture classes with their respective limitation ratings.
  - (a) through (b) No change.
  - (c) Clay, bedrock, oolitic limestone, fractured rock, hardpan, organic soil, gravel and coarse sand, when coarse sand is associated with an estimated wet season high water table within 48 inches of the absorption surface are severely limited soil materials. If severely limited soil material can be replaced with slightly limited soil material, see Footnotes 3 and 4 of Table III for minimum requirements. Where limestone is found to be discontinuous along the horizontal plane and is dispersed among slightly or moderately limited soils, the Department Policy for Drainfield Sizing in Areas With

Discontinuous Limestone, August 1999, herein incorporated by reference, shall be used. The referenced policy may be obtained by contacting the department.

- (2) through (6) No change.
- (7) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at [www.MyFloridaEH.com](http://www.MyFloridaEH.com) or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713.

Specific Authority ~~154.06~~, 381.0011(4), ~~(13)~~, ~~381.006~~, 381.0065(3)(a), ~~489.553~~, ~~489.557~~ FS. Law Implemented ~~154.01~~, ~~381.001~~, ~~381.0011~~, ~~381.0012~~, ~~381.0025~~, ~~381.006~~, ~~381.0061~~, 381.0065, 381.00655, ~~381.0066~~, ~~381.0067~~, ~~386.041~~ FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.47, Amended 3-17-92, 4-16-92, 1-3-95, Formerly 10D-6.047, Amended 3-22-00, \_\_\_\_\_.

64E-6.008 System Size Determinations.

- (1) No change.
- (2) Minimum effective septic tank capacity and total dosing tank capacity shall be determined from Table II. However, where multiple family dwelling units are jointly connected to a septic tank system, minimum effective septic tank capacities specified in the table shall be increased 75 gallons for each dwelling unit connected to the system. With the exception noted in paragraph Rule 64E-6.013(2)(a), F.A.C., all septic tanks shall be multiple chambered or shall be placed in series to achieve the required effective capacity. The use of an approved outlet filter device shall be required. Outlet filters shall be installed within or following the last septic tank or septic tank compartment before distribution to the drainfield. The outlet filter device requirement includes blackwater tanks, but does not include graywater tanks or grease interceptors or laundry tanks. Outlet filter devices shall be placed to allow accessibility for routine maintenance. Utilization and sizing of outlet filter devices shall be in accordance with the manufacturers' recommendations. The approved outlet filter device shall be installed in accordance with the manufacturers' recommendations. The Bureau of Onsite Sewage Programs shall approve outlet filter devices per the department's Policy on Approval Standards For Onsite Sewage Treatment And Disposal Systems Outlet Filter Devices, August 1999, which is herein incorporated by reference.

AVERAGE SEWAGE CAPACITY SEWAGE CAPACITY FLOW GALLONS/DAY	SEPTIC TANK		PUMP TANK	
	MINIMUM EFFECTIVE CAPACITY		MINIMUM	TOTAL
	GALLONS		Residential	Commercial
0-200	900		150	225
201-300	900		225	375
301-400	1050		300	450
401-500	1200		375	600
501-600	1350		450	600
601-700	1500		525	750
701-800	1650		600	900
801-1000	1900		750	1050
1001-1250	2200		900	1200
1251-1750	2700		1350	1900

1751-2500	3200	1650	2700
2501-3000	3700	1900	3000
3001-3500	4300	2200	3000
3501-4000	4800	2700	3000
4001-4500	5300	2700	3000
4501-5000	5800	3000	3000

(3) through (5) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at [www.MyFloridaEH.com](http://www.MyFloridaEH.com) or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), ~~489.553~~ FS. Law Implemented ~~154.01~~, ~~381.001(2)~~, ~~381.0011(4)~~, ~~381.0012~~, ~~381.0025~~, ~~381.0061~~, 381.0065, ~~381.0067~~, ~~386.041~~, ~~489.553~~ FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, Amended 3-22-00, 9-5-00, \_\_\_\_\_.

64E-6.009 Alternative Systems.

When approved by the DOH county health department, alternative systems may, at the discretion of the applicant, be utilized in circumstances where standard subsurface systems are not suitable or where alternative systems are more feasible. Unless otherwise noted, all rules pertaining to siting, construction, and maintenance of standard subsurface systems shall apply to alternative systems. In addition, the DOH county health department may, using the criteria in subsection 64E-6.004(4), F.A.C., require the submission of plans prepared by an engineer ~~licensed registered~~ in the State of Florida, prior to considering the use of any alternative system. The DOH county health department shall require an engineer ~~licensed registered~~ in the state of Florida to design a system having a total absorption area greater than 1000 square feet and shall require the design engineer to certify that the installed system complies with the approved design and installation requirements.

(1) through (2) No change.

(3) Mound systems – are used to overcome certain limiting site conditions such as an elevated seasonal high water table, shallow permeable soil overlying slowly permeable soil and shallow permeable soil located over creviced or porous bedrock. Special installation instructions or design techniques to suit a particular site shall, using the criteria in subsection 64E-6.004(4), F.A.C., be specified on the construction permit in addition to the following general requirements.

(a) through (e) No change.

(f) There shall be a minimum 4 feet separation between the shoulder of the fill and the nearest trench or absorption bed sidewall. Where a portion of the mound slope will be placed adjacent to building foundations, pilings or supports for elevated structures, mobile home walls, swimming pool walls, retaining walls, or similar obstructions there shall be a minimum 5 foot separation between the sidewall of the absorption area and the obstruction. Such obstructions shall impact the slope on no more than 50 percent of the shoulder perimeter. Retaining walls must be designed by a professional

engineer ~~licensed registered~~ in the state of Florida to withstand the lateral earth forces under saturated conditions and to prevent seepage. Where mounds are placed on slopes exceeding 2 percent, the toe of the slope on the downslope side of the mound shall extend an additional 4 inches for each additional 1 percent of slope. To taper the maximum elevation of the mound at the outer perimeter of the shoulder down to the toe of the slope, additional moderately or slightly limited fill shall be placed at a minimum 2 foot horizontal to 1 foot vertical grade where mound height does not exceed 36 inches. Mound heights which exceed 36 inches shall have a slope not steeper than 3 foot horizontal to 1 foot vertical. The entire mound including slopes, shoulders and the soil cap shall be stabilized with vegetation. Slopes steeper than 5:1 shall be sodded. Soil caps and unsodded slopes must, at a minimum, be seeded with grass and a layer of hay or similar cover. Where fill material is present in the amount so as to provide a level surface from the top of the required cover over the system over the area where the slopes would normally be located, no slopes shall be required. For example, if the neighboring lot has been permanently filled to the same level as the applicant's lot, a five-foot separation from the property line to the system will be required, as opposed to requiring the slope area. Stabilization of a mound shall be the responsibility of the septic tank contractor who constructed the mound system unless the written agreement for system construction clearly states the system owner is responsible. Mound slopes which do not conform to permit requirements shall at a minimum be restored to permit specifications prior to stabilizing. Other vegetative covers providing protection from mound erosion equal to or better than sod shall be approved by the State Health Office. Final installation approval shall not be granted until sodding or seeding and haying or other approved stabilization of the mound has occurred. No portion of the drainfield or shoulder area shall be covered with asphalt or a concrete driveway or be subject to vehicular traffic. Landscaping features such as boulders or trees which obstruct drainfield or fill shoulder area shall not be used.

(g) through (i) No change.

(4) No change.

(5) Drip irrigation systems – Drip irrigation systems may, at the option of the applicant, be used in lieu of a mineral aggregate drainfield. Drip irrigation systems shall meet all requirements of this Chapter except as noted below.

(a) Drip irrigation systems receiving effluent from an approved aerobic treatment unit shall meet the following requirements:

1. Drip irrigation systems shall be designed by an engineer ~~licensed registered~~ in the state of Florida.

2. through 23. No change.

(b) No change.

(6) No change.

(7) Alternative system component and design approval – After innovative system testing is completed, requests for approval of system components and designs which are not specifically addressed in this chapter shall be submitted to the department’s Bureau of Onsite Sewage Programs.

(a) Requests for alternative system component material and design approval shall include:

1. detailed system design and construction plans by an engineer licensed ~~registered~~ in the State of Florida.

2. certification of the performance capabilities of the product submitted by an engineer licensed ~~registered~~ in the State of Florida.

3. through 5. No change.

(b) through (d) No change.

(8) Other alternative systems – systems such as low pressure distribution networks, small diameter gravity sewers, low pressure sewer systems, alternating absorption fields, and sand filters designed and submitted by an engineer who is licensed ~~registered~~ in the State of Florida, meeting the general requirements of this Chapter, shall be approved by the DOH county health department where evidence exists that use of such systems will not create sanitary nuisance conditions, health hazards or pollute receiving waters. Use of an alternative system may require the establishment of procedures for routine maintenance, operational surveillance, and environmental monitoring to assure the system continues to function properly.

(9) No change.

(10) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557(4) FS. Law Implemented ~~154.01~~, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.49, Amended 3-17-92, 1-3-95, Formerly 10D-6.049, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 6-18-03,

64E-6.010 Septage and Food Establishment Sludge.

(1) No change.

(2) Application for a service permit shall be made to the DOH county health department on Form DH 4012, 01/92, “Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval” herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

(a) through (c) No change.

(3) When a permit is issued, the number of said permit along with the name of the company, its phone number, and the gallon capacity of the waste storage tank ~~truck~~ shall be

prominently and permanently displayed on the service truck in contrasting colors with 3 inch or larger letters. Use of removable magnetic signs shall not be considered permanent display of vehicle identification information. A septage disposal service permit shall be suspended, revoked or denied by the department in accordance with Chapter 120, F.S., for failure to comply with requirements of this Chapter.

(4) through (9) No change.

(10) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06~~, 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), 489.553(3), 489.557 FS. Law Implemented ~~154.01~~, 381.001, ~~381.0011~~, 381.0012, 381.0025, ~~381.006~~, 381.0061, 381.0065, ~~381.00655~~, ~~381.0066~~, 381.0067, 386.041 FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.52, Amended 3-17-92, 1-3-95, 5-14-96, Formerly 10D-6.052, Amended 3-22-00, 5-24-04,

64E-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.

(1) Persons servicing portable restrooms, portable hand washing facilities and portable or stationary holding tanks shall obtain an annual permit on Form DH 4013, 01/92, Operating Permit, herein incorporated by reference, from the county health department in the county in which the service company has an office or storage yard. No portable restroom or holding tank shall have its contents removed and disposed of until the service company has obtained an annual written permit (form DH 4013, 1/92, Operating Permit) from the DOH county health department in the county in which the service company holds a business office. The service company need not be permitted in neighboring counties in which the service company operates but does not have an office or storage yard. Service persons shall carry proof of possession of a current annual operating permit and vehicle inspection for review by department personnel in neighboring counties. Permits issued under this rule authorize the disposal service to handle liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers and portable or stationary holding tanks containing domestic wastewater produced in the State of Florida. Permits issued under this section authorize the disposal service to handle liquid waste associated with portable restrooms and holding tanks.

(2) Application for a service permit shall be made to the DOH county health department on Form DH 4012, 01/92, “Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval” herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

(a) Evidence that the applicant possesses adequate equipment such as a tank truck, pumps, off truck stabilization tanks and pH testing equipment where lime stabilization and land application are proposed, as well as other appurtenances and tools necessary to perform the work intended. Equipment may be placed into service only after it has been inspected and approved by the DOH county health department. Tanks used for the stabilization and storage of portable or stationary holding tank waste and portable restroom waste shall be constructed, sized, and operated in accordance with the provisions of subparagraphs 64E-6.010(2)(a)1-3., F.A.C.

(b) The proposed disposal method and the site to be used for disposing of the waste from portable restrooms or portable or stationary holding tanks.

(c) The contractor registration number and certificate of authorization number, if applicable.

(3) When a permit is issued, the number of said permit along with the name of the company, its phone number, and the gallon capacity of the waste storage tank truck shall be prominently and permanently displayed on the service truck in contrasting colors with 3 inch or larger letters. Use of removable magnetic signs shall not be considered permanent display of vehicle identification information.

(4) After waste is removed from a portable or stationary holding tank, the original cap or lid of the tank shall be put back in place, or be replaced with a new cap or lid if the original one is broken. Tank lids shall be completely sealed and secured as per paragraph 64E-6.013(2)(i), F.A.C. The site shall be left in a nuisance-free condition.

(5) Waste from portable or stationary holding tanks or portable restrooms shall be transported to an approved treatment facility in such a manner as to preclude leakage, spillage or the creation of a sanitary nuisance.

(6) All portable restroom and portable or stationary holding tank waste haulers regulated by Chapter 64E-6, F.A.C. are to maintain a collection and hauling log at the main business location which provides the information listed below. Records shall be retained for five (5) years.

(a) Date of septage or waste collection.

(b) Estimated volume, in gallons, of septage or waste transported.

(c) Location of the approved treatment facility.

(d) Date and time of discharge to the treatment facility.

(e) Acknowledgement ~~Acknowledgement~~ from treatment facility of receipt of septage or waste.

(f) The location and the installation or placement date of all portable holding tanks placed into service. When a county health department requests to see the list of holding tank installation locations, only those locations within the health department's county of jurisdiction need be provided.

(7) Portable Restrooms, Portable Holding Tanks, Stationary Holding Tanks, Mobile Restroom Trailers, Mobile Shower Trailers, and Portable Sinks

(a) The department shall allow, on a temporary basis, portable restrooms, mobile restrooms, mobile shower trailers, and portable or stationary holding tanks for fairs, carnivals, revivals, field locations, encampments and other locations which lack permanent structures where people congregate for short periods of time, provided the construction, maintenance, and utilization of such systems conform to the general provisions of this Chapter. Portable restrooms, portable or stationary holding tanks or other restroom facilities shall be provided at commercial and residential building sites for the duration of construction any time workers are present, and shall not be bound by the definition of temporary. All required restroom facilities shall remain accessible whenever the intended users are present. Where the department determines that no health hazard will result, portable restrooms, portable holding tanks, stationary holding tanks, mobile restroom trailers, mobile shower trailers, and portable sinks shall be permitted meeting setbacks that are 50% of the setback requirements of subsections ~~Rule~~ 64E-6.005(1) through (3), F.A.C. provided portable or stationary holding tanks shall be placed within secondary containment structures with a containment capacity of no less than 110% of the total waste capacity of the holding tank. For purposes of this rule, a holding tank is any sealed, water tight fixture for receiving and storing domestic wastewater from plumbing fixtures in remote locations or at building sites or special events. For purposes of this rule, a portable restroom is a transportable, self contained static or flush-type toilet constructed to promote a sanitary environment at remote locations, building sites or special events, comprised of at least a waste storage receptacle, a riser and toilet seat and a protective enclosure. Portable restrooms, mobile restrooms, and mobile shower trailers at building sites or at a location for a temporary period of time do not require a permit from the department but must comply with the provisions of this rule. A construction permit (DH 4016) shall be obtained before placing or installing any ~~portable or~~ stationary holding tanks.

(b) The department shall approve, for permanent use or placement, portable restrooms or stationary holding tanks at continually used locations where restroom facilities are desirable for the promotion of public health and where conventional facilities are neither available nor practical. Examples of such locations would be boat ramps, remote areas of golf courses, office or sales trailers, or other places where people congregate which meet the above criteria. A construction permit (DH 4016) shall be obtained before placing or installing any portable restroom or stationary holding tank for permanent use. The portable restroom service company providing portable restrooms or stationary holding tanks shall be responsible for maintenance of the unit and removal if conventional facilities are made available.

(c) Portable restrooms shall be self-contained, have self closing doors and shall be designed and maintained so that insects are excluded from the waste container.

(d) Portable restroom service company operators shall use Table PR I to determine the required number of facilities for special events for use in situations where no local or state codes provide a minimum number of toilet facilities. Table PR I assumes that the portable restrooms are serviced only once per day. If the restrooms are serviced twice per day, the value from the table shall be divided by two. If they are pumped three or more times per day, the value shall be divided by three. All resulting fractional numbers of restrooms required shall be rounded up to the next higher whole number of restrooms. If permanent restroom facilities are available for use by the attendees, the number of portable restrooms may be reduced based on the number of attendees the permanent facilities are designed to accommodate. At least one working day prior to the special event, special event organizers shall provide to the county health department a signed contract, or facsimile copy thereof, with the portable restroom service company specifying the dates the facilities will be on the event site, the number of restroom facilities to be provided, the servicing frequency and the removal date for the units.

(e) Table PR II shall be used to determine the number of required facilities at remote locations and commercial and residential building sites.

1. Table PR II assumes that the portable restrooms are serviced only once per week. If the restrooms are serviced twice per week, the value from the table shall be divided by two. If they are pumped three or more times per week, the value shall be divided by three. All resulting fractional numbers of restrooms required shall be rounded up to the next higher whole number of restrooms.

2. Where a contractor has multiple building sites, the individual sites shall be considered a single site for purpose of determining the number of facilities. Portable restrooms serving multiple individual building sites may be shared between sites provided they are no more than 300 feet from any individual building site served.

(f) Waste receptacles shall be watertight and made of non-absorbent, acid resistant, corrosion-resistant and easily cleanable material.

(g) The floors and interior walls shall have a non-absorbent finish and be easily cleanable.

(h) Portable restrooms shall be serviced at least weekly and the inside of the structure housing the storage compartment shall be cleaned on each service visit.

(i) Each portable restroom shall have listed in a conspicuous place the name and telephone number of the servicing company.

(j) Portable restrooms shall be maintained in a sanitary condition. Portable restrooms at special events shall be serviced at least daily.

TABLE PR I  
NUMBER OF PORTABLE RESTROOMS REQUIRED FOR SPECIAL EVENTS  
(ASSUMES SERVICING ONCE PER DAY)  
NUMBER OF PEOPLE PER DAY NUMBER OF HOURS FOR EVENT PER DAY

	1	2	3	4	5	6	7	8	9	10
250	2	2	2	2	2	3	3	3	3	3
500	2	3	4	4	4	4	4	4	4	4
1000	4	5	6	7	7	8	8	8	8	8
2000	6	10	12	13	14	14	14	15	15	15
3000	9	14	17	19	20	21	21	21	21	22
4000	12	19	23	25	28	28	28	30	30	30
5000	15	23	30	32	34	36	36	36	36	36
6000	17	28	34	38	40	42	42	42	44	44
7000	20	32	40	44	46	48	50	50	50	50
8000	23	38	46	50	54	57	57	58	58	58
9000	26	42	52	56	60	62	62	62	64	64
10,000	30	46	57	63	66	70	70	72	72	72
12,500	36	58	72	80	84	88	88	88	88	92
15,000	44	70	84	96	100	105	105	110	110	110
17,500	50	80	100	110	115	120	125	125	126	126
20,000	57	92	115	125	132	138	138	144	144	150
25,000	72	115	144	154	168	175	175	176	176	184
30,000	88	138	168	192	200	208	208	216	216	216

TABLE PR II  
PORTABLE RESTROOMS REQUIRED FOR REMOTE LOCATIONS AND COMMERCIAL AND RESIDENTIAL BUILDING SITES PER SITE OR LOCATION (ASSUMES SERVICING ONCE PER WEEK)

NUMBER OF PEOPLE PER SITE	NUMBER OF RESTROOMS REQUIRED
8 HOURS PER DAY – 40 HOURS PER WEEK	
1-10	1
11-20	2
21-30	3
31-40	4
41-50	5
over 50	Add 1 restroom for every 10 additional people or fraction thereof

TABLE PR III  
HOLDING TANK CAPACITY REQUIRED FOR REMOTE LOCATIONS, AND SPECIAL EVENTS PER SITE OR LOCATION (ASSUMES SERVICING TWICE PER WEEK)

NUMBER OF PEOPLE PER SITE	MINIMUM HOLDING TANK CAPACITY (IN GALLONS)
8 HOURS PER DAY – 40 HOURS PER WEEK	
1	125
2-3	250
4-5	500
6-7	750
over 7	Add 125 gallons for each additional person

(k) Portable hand washing facilities shall be self-contained and have access to a fresh water compartment and a wastewater compartment. A sign shall be posted near the hand washing apparatus to advise users that the water is not for drinking.

(l) Portable hand washing facilities shall be provided in a proportion of one hand wash facility to every ten portable restrooms required, and shall be provided at special events and remote locations where food is served or picnic areas are provided. With the exception of locations where food is served, hand sanitizers may be used in lieu of hand washing facilities, at the option of the applicant.

(m) The number and location of portable restroom and hand washing facilities for food handlers at special events shall be based on this section or applicable local or state food hygiene requirements, whichever is greater.

(n) An applicant for a stationary holding tank installation permit shall provide to the county health department a copy of a contract with a permitted disposal company that states the holding tank capacity and the scheduled pumping frequency.

(o) All stationary ~~stationery~~ holding tanks shall be constructed in compliance with the construction standards for treatment receptacles in Rule 64E-6.013, F.A.C.

(p) Portable holding tanks shall meet the following requirements:

1. The total effective capacity of the portable holding tank shall not exceed 300 gallons;

2. No portion of the portable holding tank shall be more than 12 inches below the surface of the ground;

3. The portable holding tank shall be used for a construction site or temporary use;

4. The portable holding tank shall be rigid, water-tight, impervious;

5. Polyethylene holding tanks shall meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO) PS 1-93, Paragraph 5.4 "Polyethylene", herein incorporated by reference. Where the requirements of IAPMO PS 1-93 Paragraph 5.4 "Polyethylene" conflict with the standards in this section, the standards in this section shall apply;

6. Multiple portable holding tanks, if used, shall be connected in such a manner that leakage from one tank will not result in the loss of any liquid from any other tanks; ,

7. Each portable holding tank shall have listed in a conspicuous place the name and telephone number of the servicing company, and;

~~8.7.~~ The portable holding tank shall be removed from the site when no longer needed.

9. The portable holding tank servicing company shall maintain a list of the location and the installation or placement date of all portable holding tanks placed into service. The list shall be made available to the Department upon request.

~~(q)(p)~~ Portable or stationary holding ~~Holding~~ tanks shall be serviced at least weekly to prevent insanitary conditions.

~~(r)(q)~~ Table PR III shall be used to determine the required total capacity of portable or stationary holding tanks serving a remote location, construction site, or special event. The values from Table PR III shall be adjusted proportionately to the number of times per week the holding tank will be emptied.

~~(s)~~ ~~Persons servicing portable restrooms, portable hand washing facilities and holding tanks shall obtain an annual permit on Form DH 4013, 01/92, Operating Permit, herein incorporated by reference, from the county health department in the county in which the service company has an office or storage yard. Permits issued under this section authorize the disposal service to handle liquid waste associated with portable restrooms, portable hand washing facilities and holding tanks containing domestic wastewater produced in the State of Florida.~~

(s) Application for a service permit shall be made to the county health department on Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, ~~which may be obtained by contacting the department.~~ The following must be provided for the evaluation prior to issuance of a service permit:

1. The permanent location and address of the business where operations will originate and where equipment is to be stored when it is not in use.

2. The proposed disposal method and the site to be used for disposing of the waste.

(t) The following equipment, maintenance and service requirements shall be complied with:

1. Vehicles used for servicing portable restrooms shall be provided with two separate tanks or a dual compartment tank. One compartment or tank shall be used for receiving and removing wastes and the other shall be used for clean water storage and shall have adequate capacity to allow proper cleaning of each serviced unit. ~~Vehicles servicing holding tanks shall be equipped with a tank for receiving and removing wastes.~~ The waste tank on all vehicles servicing portable restrooms or portable or stationary holding tanks shall be equipped with a suction hose having a cut-off valve not more than 36 inches from the intake end.

2. Standby portable restroom and holding tank service equipment shall be available for use during breakdowns or emergencies. If equipment from another approved service is to be used for stand-by purposes, a written agreement between the services must be provided to the county health department.

3. The waste storage compartment of a tank truck shall be maintained as necessary to prevent the creation of sanitary nuisance conditions.

(u) Portable or stationary holding ~~Holding~~ tank, portable restroom, and portable hand sink wastes shall be disposed of into a septage treatment and disposal facility approved by the department or into a treatment facility approved or permitted for such disposal by the Department of Environmental Protection. These wastes shall be land applied under provisions of subsection ~~Rule~~ 64E-6.010(7), F.A.C., provided a DEP-approved treatment facility is not available. Companies which service portable or stationary holding tanks or portable restrooms which use quaternary ammonium sanitizing and deodorizing compounds are prohibited from having the wastes treated or disposed of at lime stabilization facilities.

(v) When disposed of in a department approved lime stabilization facility, the portable restroom, portable hand washing and portable or stationary holding tank wastes shall be blended with domestic septage at a rate of no less than 3 parts septage to 1 part holding tank, portable restroom or portable

hand washing facility waste prior to lime stabilization. Treatment and disposal shall comply with the provisions of paragraphs ~~Rule~~ 64E-6.010(7)(a)-(u), F.A.C.

(w) Contents of portable restrooms and portable or stationary holding tanks shall be removed in their entirety when pumped.

(x) Persons who own portable restrooms but are not a permitted service company shall maintain a service contract with a permitted service company for every portable restroom in use. The name and telephone number of the owner shall be displayed on every portable restroom in use.

(8) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06, 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557~~ FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041~~ FS. History—New 5-24-04, Amended \_\_\_\_\_.

64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units.

When aerobic treatment units are used for treating domestic and commercial sewage waste, each unit shall be installed, operated and maintained in conformance with the following provisions:

(1) Aerobic systems designed to treat up to 1500 gallons of sewage waste per day shall be listed by a third party certifying program approved by the State Health Office. Aerobic treatment units shall be in compliance with standards for Class I systems as defined by ANSI/NSF International Standard Number 40, revised July, 2000, herein incorporated by reference. An approved third party certifying program shall comply with the following provisions in order for units which it has certified to be approved for use in Florida:

(a) through (i) No change.

(j) Manufacturers shall provide a listing of approved maintenance entities they have authorized to provide service in the state and shall demonstrate that the entire state is covered by at least one maintenance entity. A system using a manufacturer's unit shall not be approved in the state if the manufacturer cannot demonstrate that there are maintenance entities to service it.

(j) through (l) renumbered (k) through (m) No change.

~~(n)(m)~~ The DOH county health department shall, at least annually, inspect the maintenance and performance of aerobic treatment units. The DOH county health department shall also inspect each authorized maintenance entity, including review of their service records and maintenance agreements. ~~Aerobic treatment units shall be sampled as necessary to determine compliance with performance criteria.~~

(2) No change.

(3) An aerobic treatment unit used for treating domestic sewage flows in excess of 1500 gallons per day but not exceeding 10,000 gallons per day shall be designed and certified by an engineer licensed registered in the State of Florida. The certification shall state that the unit is capable of consistently meeting, at minimum, secondary treatment standards established by DEP in Rule 62-600.420, F.A.C. In addition, the following requirements shall also be met:

(a) through (e) No change.

(4) No aerobic treatment unit shall be serviced or repaired by a person or entity engaged in an aerobic treatment unit maintenance service until the service entity has obtained an annual written permit issued on Form DH 4013 from the DOH county health department in the county where the service company is located. Each service entity shall employ at least one plumbing contractor licensed under Section 489.105(3)(m), F.S., septic tank contractor registered under Part III of Chapter 489, F.S., or a state-licensed wastewater treatment plant operator, who is responsible for maintenance and repair of all systems under contract. Application for a Maintenance Service Permit, Form DH 4066, shall be made to the DOH county health department and shall contain the following information:

(a) through (c) No change.

(5) No change.

Specific Authority 154.06(1), 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1) FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, Part I 386~~ FS. History—New 3-17-92, Amended 1-3-95, Formerly 10D-6.0541, Amended 11-19-97, 4-21-02, 6-18-03, \_\_\_\_\_.

64E-6.013 Construction Materials and Standards for Treatment Receptacles.

(1) Onsite wastewater treatment receptacle design – The following requirements shall apply to all onsite wastewater treatment receptacles manufactured for use in Florida unless specifically exempted by other provisions of these rules:

(a) Onsite wastewater treatment receptacles include: septic tanks, graywater tanks, laundry tanks, grease interceptors, pump tanks, aerobic treatment unit tanks, tanks containing treatment media and stationary holding tanks not described in paragraph 64E-6.0101(7)(p), F.A.C. Treatment receptacles shall be constructed of concrete, fiberglass or polyethylene.

(b) Design and testing of concrete treatment receptacles:

1. Structural design of receptacles shall be by calculation or by performance.

2. Structural design shall be verified by actual vacuum load or hydrostatic test in accordance with the department's policy for Test Requirements for Structural Proofing, August 16, 2005, herein incorporated by reference. The vacuum test shall be followed by a water tightness test.

3. Treatment receptacles shall be watertight as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2., herein incorporated by reference. ASTM C1227 98, paragraph 9.2.2, herein incorporated by reference, shall be modified to read as follows: Water tightness testing – Fill the receptacle with water to the invert of the outlet and let stand for 24 hours. Refill the receptacle. The receptacle is approved as water tight if the water level is held for one hour.

4. Manufacturers may use calculations provided by the design engineer in lieu of proof testing for receptacles using reinforcement bars for structural strength and having a wall thickness of 5 inches or greater. Design by calculation shall be completed using the Strength Design Method (ultimate strength theory) or the Alternate Design Method (working stress theory) outlined in the American Concrete Institute (ACI) publication ACI 318-99, Building Code Requirements for Structural Concrete (318-99) and Commentary (318R-99), herein incorporated by reference. The Strength Design Method is outlined in Chapter 9 and the Alternate Design Method is in Appendix A. Equation (9-1), herein incorporated by reference, shall be modified to read as follows:  $U=1.4L + 1.4D$ . When the Strength Design Method is used to verify satisfaction of the required strength a strength reduction factor of 0.90 shall be applied per ACI 318-99 paragraph 9.3.2.1.

(c) Design and testing of fiberglass and polyethylene treatment receptacles:

1. Vacuum testing shall be conducted in accordance with the department's policy for Test Requirements for Structural Proofing. The vacuum test shall be followed by a water-tightness test.

2. Vacuum testing shall demonstrate a distortion of volume of no more than 1% at a safety factor of 1.0 and 2% at a safety value of 1.4 followed by passing a water-tightness test to be considered satisfactory. To determine the vacuum at a 1.0 safety factor, divide the required total vacuum values by 1.4. There shall be no distortion of the access hatch perimeters at the full vacuum load and the access hatch must be able to be removed and reinstalled at the conclusion of the test.

3. Water-tightness testing shall be performed as follows: Fill the receptacle with water to the invert of the outlet. The receptacle is approved as water tight if the water level is held for one hour.

(b) Treatment receptacles shall be watertight as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2., herein incorporated by reference. ASTM C1227 98, paragraph 9.2.2, herein incorporated by reference, shall be modified to read as follows: Water pressure testing – Fill the tank with water to the invert of the outlet and let stand for 24 hours. Refill the tank. The tank is approved as water tight if the water level is held for one hour.

(e) Structural design of receptacles shall be by calculation or by performance. Design by calculation shall be completed using the Strength Design Method (ultimate strength theory) or the Alternate Design Method (working stress theory) outlined in the American Concrete Institute (ACI) publication ACI 318-99, Building Code Requirements for Structural Concrete (318-99) and Commentary (318R-99), herein incorporated by reference. The Strength Design Method is outlined in Chapter 9 and the Alternate Design Method is in Appendix A. Equation (9-1), herein incorporated by reference, shall be modified to read as follows:  $U=1.4L + 1.4D$ .

(d) When the Strength Design Method is used to verify satisfaction of the required strength a strength reduction factor of 0.90 shall be applied per ACI 318-99 paragraph 9.3.2.1.

(e) Structural design of receptacles shall be verified by actual vacuum load or hydrostatic test in accordance with the department's policy for Test Requirements for Structural Proofing August 1999, herein incorporated by reference. All vacuum testing shall be followed by a watertightness test as defined in ASTM C1227 98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2. Manufacturers may use calculations provided by the design engineer in lieu of proof testing for tanks using reinforcement bars for structural strength and having a wall thickness of 5 inches or greater. Curve-shaped tanks, fiberglass tanks and polyethylene tanks shall be vacuum tested followed by a watertightness test. Vacuum testing of polyethylene tanks shall demonstrate a distortion of volume of no more than 5% at a safety factor of 1.0 and watertightness at a safety value of 1.4 to be considered satisfactory. To determine the vacuum or hydrostatic pressure at a 1.0 safety factor, divide by 1.4 the values required on pages 3 through 5 of the department's policy entitled "Test Requirements for Structural Proofing, August 1999", herein incorporated by reference.

(d)(f) Testing shall be conducted in the presence of an engineer licensed registered in the state of Florida, or by an employee of the department that has been authorized certified by the State Health Office to perform or witness receptacle tank testing. Test results shall be certified by the witnessing engineer or department state employee.

(e)(g) Receptacle tank lids for non-traffic residential installations shall be designed for a dead load of 12 inch earth cover with a dry soil density of 100 pounds per cubic foot or a live load of two concentrated loads of 1750 pounds at a 60 inch spacing or a concentrated load of 1750 pounds located at the center of the tank lid, whichever provides the greater shear and moment stresses to the tank lid. The required strength shall be per ACI 318-99, equation (9-1) as follows:  $U=1.4D + 1.7L$ . Structural integrity proof test or calculations for the 12 inch overburden earth load and the 1750 pound concentrated loading shall be provided. Designs sealed by an engineer licensed registered in the state of Florida shall be acceptable for design proof of receptacle tank lid designs.



~~(f)(h)~~ Receptacles and receptacle tank lids for traffic installations shall be designed, signed and sealed by an engineer licensed registered in the state of Florida. Whenever vehicular traffic is anticipated to cross over the ~~septic tank or other onsite waste~~ receptacle, traffic lids shall be installed with manhole covers to finished grade. Traffic receptacles and lids shall be designed in accordance with ASTM C 890-91 (Reapproved 1999), Standard Practice for Minimum Structural Design Loading for Monolithic or Sectional Precast Concrete Water and Wastewater Structures, herein incorporated by reference, for the appropriate loading. Application of paragraph 5.2.4 of ASTM C 890-91 (Reapproved 1999), shall be at the discretion of the design engineer.

(2) Onsite wastewater treatment receptacle design requirements – The following details shall be incorporated into the design:

(a) Septic tanks and graywater tanks shall have multiple compartments, or single compartment tanks shall be placed in series to achieve the required effective capacity. Grease interceptors, laundry tanks, pump tanks, aerobic treatment unit tanks and retention tanks shall be either multi-compartment or single compartment tanks. All receptacle stiffening members such as ribs shall be a homogeneous integral part of the structure. When slide-in type compartment walls are proposed, the structural testing for such tanks shall be conducted without the slide-in wall in place. There shall be a maximum of two horizontal seams between the topside of the bottom of the receptacle and the underside of the lid. There shall be no vertical seams. Except as noted in this paragraph, the first chamber of a dual compartment septic or graywater tank or the first tank of single compartment tanks in series shall have a minimum effective capacity of at least 2/3 of the total required effective capacity. The second single compartment tank or chamber of a multi-compartment tank shall have a minimum effective capacity of at least 1/5 of the total required effective capacity. The combined effective capacities of the first and second chambers or the first and second single-compartment tanks shall equal or exceed the total required effective capacity. Systems with daily flows in excess of 3500 gallons per day may utilize two tanks to achieve the total required effective capacity, provided that the first tank shall provide no less than 1/2 ~~and no more than 4/5~~ of the total required effective capacity. The second tank shall provide no less than 1/5 of the total required effective capacity and the total effective capacities of the two tanks combined shall be no less than the total required effective capacity.

(b) The liquid depth of compartments for septic tanks and grease interceptors shall be at least ~~40~~ 42 inches. The liquid depth of compartments for graywater tanks, laundry interceptors and ~~pumping~~ tanks shall be at least 30 inches. Liquid depths greater than 84 inches shall not be considered in determining the effective capacity.

(c) A minimum free board or airspace of 15 percent by volume of the effective capacity of all blackwater, graywater and laundry tanks shall be provided. The volume of risers above the liquid level line cast as an integral part of the tank may be included as free board or airspace. ~~For pump tanks, the 15% airspace may be included in the pump tank minimum effective capacity.~~

(d) The inlet invert of septic tanks, graywater tanks and laundry ~~tanks interceptors~~ shall enter the tank 1 to 3 inches above the liquid level of the tank. A vented inlet tee, vented sweep or a baffle may be provided at the discretion of the manufacturer to divert the incoming sewage. The inlet device, if utilized, shall have a minimum diameter of 4 inches and shall not extend below the liquid surface more than 33 percent of the liquid depth.

(e) In septic tanks, graywater tanks and laundry ~~tanks interceptors~~, a minimum 4 inch diameter vented outlet tee, sweep or baffle shall extend below the liquid level of the tank so that the invert level of the outlet device is a distance not less than 30 percent nor greater than 40 percent of the liquid depth. The outlet device shall extend at least 4 inches above the liquid level. The submerged intake orifice of any outlet fixture not incorporating an approved outlet filter device shall be provided with an approved solids deflection device to reduce, by a minimum of 90 percent, the intake area of the outlet fixture exposed to the vertical rise and fall of solid particles within the tank. Turning the intake orifice of an outlet tee or sweep 90 degrees from the vertical will satisfy the solids deflection device requirement.

(f) The inlet and outlet devices shall be located at opposite ends of the receptacle tank so as to be separated by the maximum distance practical and shall be in accordance with ASTM C 923-98, Standard Specification for Resilient Connectors Between Reinforced Concrete Manhole Structures, Pipes, and Laterals, herein incorporated by reference. The head pressure noted in paragraph 7.1.1 of ASTM C 923-98 shall be reduced from 23 feet to 10 feet. The building sewer can enter the side of the tank no more than 12 inches from the inlet end of the tank if this construction will allow for better plumbing routing of the building sewer to the septic tank. The outlet device can exit the side of the tank no more than 12 inches from the outlet end of the tank if this construction will allow for better plumbing routing from the septic tank to the drainfield. Inlets and outlets on the sides of any treatment receptacle must be located no more than 12 inches from the end of the receptacle.

(g) Compartment walls shall be designed to withstand the stresses induced by pumping out either of the compartments. There shall be no relief holes. However, the compartment walls may be inserted in grooves without grouting, fiberglassing or otherwise permanently attaching in place, unless such attachment is required for proving structural integrity of either the receptacle tank or compartment wall.

(h) Sewage flow between the first and second chamber of a multi-chamber ~~receptacle tank~~ shall interconnect utilizing either a minimum 4 inch diameter hole or equivalent size slot in the wall or with a minimum 4 inch diameter vented and inverted U-fitting or a tee. ~~Receptacles Tanks~~ in series shall interconnect utilizing a minimum 4 inch diameter vented, inverted U-fitting or a tee. The outlet device or slot shall extend below the liquid level of the ~~receptacle tank~~ so that the invert level is located not less than 30 percent nor greater than 40 percent of the liquid depth.

(i) Joints of ~~receptacles tanks~~, including mid-seams, risers, and ~~tank~~ lids shall be sealed using a bonding compound that meets ASTM C 990-96, Standard Specification for Joints for Concrete Pipe, Manholes, and Precast Box Sections using Preformed Flexible Joint Sealants, herein incorporated by reference.

(j) The State Health Office's designated approval number for the ~~receptacle tank~~, and the effective capacity of the ~~receptacle tank~~ in gallons shall be cast or stamped into the wall or permanently stenciled or decalced onto the wall at the inlet end, to begin within 6 inches of the top of the wall. All identifying marks shall be inscribed or affixed at the point of manufacture only. All information supplied in the legend shall be provided with a minimum of two inch high lettering.

(k) Each compartment shall have access using manholes, with each manhole having a minimum area of 225 square inches. ~~Septic tanks and pump tanks with an effective capacity of 1200 gallons or less shall have a lid of one piece construction. Septic tanks and pump tanks with an effective capacity of greater than 1200 gallons shall have a one piece lid or a lid with a maximum of three sections with each being equal in size.~~ Manholes shall be located so as to allow access to the inlet and outlet devices. A minimum 6-inch diameter opening shall be placed at the inlet and outlet ends of the ~~tank~~ lid if a minimum 225 square inch access port is placed in the middle of the ~~tank~~ lid. The access manhole over the inlet and outlet shall extend to within 8 inches of finished grade; ~~however the entire septic tank shall be covered with a minimum of four inches of soil cover.~~ If a riser is used, and if the riser access lid opens directly to the ~~receptacle tank~~ interior, joints around the riser and ~~receptacle tank~~ shall be sealed and made watertight as specified in paragraph 64E-6.013(2)(i), F.A.C., to prohibit intrusion of ground water into the ~~receptacle tank~~. For multi-compartment ~~receptacles tanks~~ or ~~receptacles tanks~~ in series, manholes shall extend to within 8 inches of finished grade over the first compartment inlet and the last compartment outlet. An appropriate mechanism shall be provided to make access manholes vandal, tamper, and child resistant. Acceptable protection of openings shall consist of one or more of the following methods as specified by the ~~tank~~ manufacturer:

1. A padlock.
2. A twist lock cover requiring special tools for removal.

3. Covers weighing 58 pounds or more, net weight.

4. A hinge and hasp mechanism which uses stainless steel or other corrosion resistant fasteners to fasten the hinge and hasp to the lid and ~~receptacle tank~~ for fiberglass, metal or plastic lids.

(l) ~~Receptacle Tank~~ designs that specify a monolithic compartment wall from the bottom of the ~~receptacle tank~~ up to the invert of the pass-through orifice and a drop-in section for the upper portion of the wall shall be approved for both single and multi-compartment use.

(m) Treatment receptacles shall have a one-piece lid or a lid with a maximum of three sections. All lids shall be designed by Licensed Engineers in accordance with paragraphs 64E-6.013(1)(e) and (f), F.A.C., and approved by the Department.

(3) Onsite wastewater treatment receptacle design approval – All onsite wastewater treatment receptacles distributed in the state shall be approved for use by the department prior to being offered for sale or installed. Such approval shall not be obtained until the manufacturer of a specific ~~receptacle tank~~ model has submitted the following:

(a) Detailed design drawings of the ~~receptacle tank~~ and ~~tank~~ lid showing:

1. Design calculations or proof testing results in accordance with subsection 64E-6.013(1), F.A.C.
2. Dimensions, including location and size of all inlets, outlets, access hatches, manholes and pass through orifices.
3. Effective capacity in gallons.
4. Freeboard or air space in gallons.
5. Production materials. For concrete ~~receptacles tanks~~ include 28 day compressive strength, in pounds per square inch (psi).
6. Reinforcing materials. For concrete ~~receptacles tanks~~, include size and location of all rebar, if any; and fiber reinforcing material size and quantity (in pounds) per cubic yard, if any.

(b) For concrete ~~receptacles tanks~~ – see subsection 64E-6.013~~(5)(6)~~(k), F.A.C.

(c) For fiberglass ~~and~~, polyethylene ~~receptacles and similar material tanks~~ see subsection 64E-6.013~~(6)(7)~~(f), F.A.C.

(d) Certification that the receptacle has undergone flow testing to confirm the effective capacity, airspace, and water tightness. Flow testing shall be conducted by an engineer licensed in the state of Florida, a third-party certified testing laboratory or a Department employee. Test results shall be certified by the engineer, laboratory or state employee.

(e) Designs shall be submitted to the State of Florida Department of Health, Bureau of ~~Water and~~ Onsite Sewage Programs.

(f) There shall be two receptacle tank design classifications. The following criteria shall be used for each category:

1. Category 3 receptacles tanks shall be designed for saturated soil with the saturation at finished grade ~~the top of the tank surface~~. The design shall provide for a maximum of 18 6 inches of saturated wet soil cover over the top of the receptacle tank. ~~Soil cover shall be limited to 18 inches over the top of the tank lid. Wet soil density shall be 100 110 pounds per cubic foot.~~ The lateral earth pressure coefficient (K) shall be no less than 0.33 0.50.

2. Category 4 receptacles tanks shall be designed for saturated soil with the saturation at finished grade ~~the top of the tank surface~~. The design shall provide for a maximum of 48 inches of saturated wet soil cover over the top of the receptacle tank. ~~Soil~~ Wet soil density shall be 100 110 pounds per cubic foot. The lateral earth pressure coefficient (K) shall be no less than 0.33 0.50. Where a receptacle tank will be placed with greater than 48 inches of soil over the top of the receptacle, an engineer licensed registered in the state of Florida shall design the receptacle for the specific conditions anticipated at the site tank.

(g) A series of receptacles may be approved by successful demonstration of the largest in a series of receptacles tanks. Approval for inclusion of the receptacles to be considered in a series must be obtained from the state health office prior to testing the receptacles. A series is either where only one dimension, this being height, length, or width, is changed or where two dimensions change in the same proportion to offer a different capacity of treatment receptacle tank.

(h) The manufacturer shall notify the state health office in writing, stipulating the date, time and location of the test, no less than ten working days prior to the receptacle proof testing. The notice shall include the receptacles tanks to be tested. Approval shall not be granted until after successfully passing the required tests, and submitting the testing results.

(i) The department will issue an approval number to the manufacturer. Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, shall be used to apply for septic tank manufacturing approval. The form can be obtained from the department.

~~(4) Reapproval of receptacles approved prior to effective date of this rule. It shall be the responsibility of each manufacturer to apply for reapproval of existing tank designs. The reapproval request shall list the existing State of Florida approval numbers, indicating the effective capacity in gallons, liquid depth, and wall thickness. The state health office will review the manufacturer's files on record at the state office for verification of approval numbers and satisfactory detailed drawings. The state health office shall notify the manufacturer~~

~~of deficiencies that must be corrected. The manufacturer shall provide engineering drawings or utilize a standard drawing and dimension table format provided by the state office. Designs shall be submitted to the State of Florida Department of Health, Bureau of Water and Onsite Sewage Programs. Flat concrete lid designs will be evaluated either by requesting in writing that the state health office perform the calculations using the working stress theory or by the manufacturer performing proof testing and submitting satisfactory results. Cylindrical tanks shall be proof tested. Reapproval shall be obtained only after the manufacturer of a specific tank model has submitted the following:~~

~~(a) Details of the tank and tank lid showing:~~

~~1. Proof testing results in accordance with 64E-6.013(1);~~

~~2. Dimensions;~~

~~3. Effective capacity in gallons;~~

~~4. Freeboard or air space in gallons;~~

~~5. Production materials;~~

~~6. Reinforcing materials. Drawings on file with the state health office that do not detail reinforcing must be updated by the manufacturer.~~

~~(b) There shall be four tank design classifications. The criteria and categories in 64E-6.013(3)(f) shall be used.~~

~~(c) A series of receptacles may be approved by successful demonstration of the largest in a series of tanks. Approval for inclusion of the receptacles to be considered in a series must be obtained from the state health office prior to testing the receptacles.~~

~~(d) The manufacturer shall notify the state health office no less than ten working days prior to the receptacle proof testing. Approval shall not be granted until after successfully passing the required tests, and submitting the testing results.~~

~~(e) The department will issue an approval number to the manufacturer. Form DH 4012, 01/92, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval" herein incorporated by reference, shall be used to apply for septic tank manufacturing approval. The form can be obtained from the department.~~

~~(4)(5) Onsite wastewater treatment manufacturer's yearly inspection – Yearly inspection of the manufacturer's facility shall consist of the following:~~

~~(a) Verify that the manufacturer has the design mix recorded and in a readily accessible location for the plant operators.~~

~~(b) Verify that the production process is recorded and that the operators are following the process.~~

~~(c) Verify that the necessary tests are being conducted by a certified testing lab or by a technician certified by the ACI. The preparation of the test specimens shall be performed by certified third party testing laboratory personnel; or manufacturers, or their employees, that have successfully~~

passed the ACI certification program. Each manufacturer shall submit a minimum of three cylinders per year. The specimens shall be taken from a production mix.

(d) Verify that the manufacturer has the proper number of tests for the year and that the results are recorded. Review the results for compliance with the design.

(e) Examine the material stockpiles to insure that the materials are free from deleterious materials.

(f) Examine the measuring equipment to insure that the equipment has been calibrated within the last year.

(g) Examine conveyors to insure that material is transported as measured.

(h) Inspect a minimum of five receptacles tanks in the manufacturers' inventory. For different series, a minimum of one receptacle tank shall be inspected from each series. Report the following unacceptable defects:

1. Cracks in all interior and exterior surfaces of the receptacles tanks.

2. Cold joint lines. This is an indication of non-monolithic pours. Examine both the interior and exterior of the receptacle tank for confirmation of a cold joint that extends across the thickness of the wall.

3. Evidence of improper steel cover. Rebar and wire mesh shall not be exposed.

4. Watertight inlets and outlets shall be provided per rule.

(i) Where cold-joint lines that appear to extend through the wall, or cracks in any surface of the receptacle tank exist, conduct a watertightness test on a maximum of two receptacles tanks per ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2. The receptacles tanks shall not be tested until they have cured for 28 days. If there are no indications of cold-joint lines that appear to extend through the wall, or cracking of receptacle tank surfaces, two receptacles tanks shall be tested at random. Record all data and submit results to the department.

(j) Verify that the manufacturer is not relocating the receptacles tanks prior to the receptacle tank achieving 75% of the design compressive strength. Record how this is accomplished.

(k) Conduct impact hammer Schmidt Hammer tests-record data.

(l) Examination of the manufacturer's receipts for material used during the previous year. Receptacle Tank manufacturers shall retain all receipts from the previous year for material used in the manufacture of treatment receptacles and make them available for inspection.

(5)(6) Concrete onsite wastewater receptacles shall be built of precast or poured in place concrete in accordance with ACI 318-99, Building Code Requirements for Structural

Concrete (1999) or ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks (1998), except as revised herein.

(a) For design and analysis of concrete septic tanks, the publication "Rectangular Concrete Tanks" revised 5th edition (1998), as published by the Portland Cement Association may be used at the designer's discretion, herein incorporated by reference. When computing length to height and width to height ratios the designer may interpolate between tables for intermediate ratios and values or may use the table and values for the higher ratios.

(b) Temperature and shrinkage crack control in concrete receptacles shall be accomplished by use of steel reinforcing in accordance with ACI 318-99 Chapter 16, or by use of fiber reinforcement. Minimum ratio of vertical and horizontal reinforcement area to gross concrete area shall be 0.0010 for deformed bars or welded wire fabric. Fiber reinforcing materials may be used by the manufacturer to achieve crack control equivalent to the use of deformed bars or welded wire fabric. To be considered equivalent, acceptable fibers shall at least meet or exceed ACI recommendations regarding materials, fiber sizing, and required fiber quantities. Any current or future revisions to the ACI recommendations may be used by the manufacturer, at their option. Materials other than materials recognized by ACI for crack control use will not be acceptable. Minimum reinforcement shall be as outlined in the document entitled Reinforcement Required to Meet 64E-6.013(5)(b) dated April 15, 2005, herein incorporated by reference.

(c) Concrete mixes shall be in accordance with the Portland Cement Association (PCA) publication entitled PCA Design and Control of Concrete Mixtures, Thirteenth Edition (1994), herein incorporated by reference.

(d) Terminology relating to concrete and concrete aggregates shall be in accordance with ASTM C 125-98, Standard Terminology Relating to Concrete and Concrete Aggregates (1998), herein incorporated by reference.

(e) Concrete aggregates used in the manufacturing of all precast or poured-in-place concrete receptacles for use in onsite sewage treatment and disposal systems shall conform to ASTM C 33-99, Standard Specification for Concrete Aggregates (1999), herein incorporated by reference.

(f) Minimum concrete cover over structural steel reinforcing shall be 3/4 inches. The minimum bend radius for structural reinforcing shall be three times the reinforcing bar diameter.

(g) Temperature and shrinkage crack control steel shall not be exposed. Exposure of fiber reinforcing is acceptable.

(h) Minimum 28-day compressive strength shall be 4000 psi.

(i) Three compressive test cylinders shall be prepared, cured, and tested in accordance with ASTM C 31-98, Standard Practice for Making and Curing Concrete Test Specimens in the Field (1998), herein incorporated by reference, and ASTM C 39-96, Standard Test Method for Compressive Strength of Cylindrical Concrete Specimens (1996), herein incorporated by reference, at least one time every year, or whenever the manufacturer changes the design mix or the manufacturing process.

(j) The bottoms of concrete receptacles ~~septic tanks~~ shall be monolithic and shall either be an integral part of the walls or shall be sealed to the walls using water-stops cast into the wall and bottom. Receptacle Tank bottoms shall not contain openings for any purpose, for example, to facilitate the removal of rainwater.

(k) ~~Approval~~ Reapproval of designs approved prior to the effective date of this rule and approval of new designs shall not be granted until the following has been completed and submitted as part of the application:

1. Establish a design mix and production process. Record the aggregate material, size and gradation; type and strength of cement; cement to aggregate ratios; water to cement ratio; and any other pertinent design data. Record the production process, for example; measuring equipment, batch sizes, mixing sequence, transportation techniques from mixer to mold, pouring techniques with consolidation of concrete methods detailed.

2. Construct three receptacles tanks using the design mix.

3. Test two sets of cylinders from the design mix at 7 day and 28 days.

4. Structural proof test three receptacles tanks to the design strength in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity of 1350 gallons or less.

5. Structural proof test one receptacle tank to the design strength in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity greater than 1350 gallons but not more than 1500 gallons.

6. Structural proof test one receptacle tank or provide receptacle tank strength calculations in accordance with paragraph Rule 64E-6.013(1)(b)(e), F.A.C., for receptacles tanks having an effective capacity exceeding 1500 gallons.

7. Verify that the manufacturer is not removing receptacles tanks from the producer's facility prior to the receptacle tank achieving 75% of the design compressive strength. Record how this is accomplished.

~~(6)(7)~~ Fiberglass reinforced plastic onsite wastewater receptacles The following structural requirements are applicable to fiberglass and polyethylene receptacles, ~~and receptacles made of a comparable class of materials:~~

(a) Materials and sealants used in the receptacle tank manufacturing process shall be capable of effectively resisting the corrosive influences of the liquid components of sewage, sewage gases and soil burial. Materials used shall be formulated to withstand shock, vibration, normal household chemicals, deterioration from sunlight and other environmental factors.

~~(b) Not less than 30 percent of the total weight of the fiberglass tank shall be fiberglass reinforcement.~~

~~(c) Internal surfaces shall be coated with an appropriate gel coating or resin to provide a smooth, pore-free, watertight surface.~~

~~(b)(d)~~ Fiberglass receptacles tanks shall be constructed so that all parts of the receptacle tank meet the following mechanical requirements. A test report from an independent testing laboratory is required to substantiate that individual receptacle designs and material formulations meet these requirements.

1. Ultimate tensile strength – minimum 12,000 psi when tested in accordance with ASTM D 638-98, Standard Test Method for Tensile Properties of Plastics (1998), herein incorporated by reference.

2. Flexural strength – minimum 19,000 psi when tested in accordance with ASTM D 790-98, Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (1998), herein incorporated by reference.

3. Flexural modulus of elasticity – minimum 800,000 psi when tested in accordance with ASTM D 790-98 Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (1998), herein incorporated by reference.

4. Not less than 30 percent of the total weight of the fiberglass receptacle shall be fiberglass reinforcement.

5. Internal surfaces shall be coated with an appropriate gel coating or resin to provide a smooth, pore-free, watertight surface.

~~(c)(e)~~ Polyethylene receptacles tanks shall meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO) PS 1-93, Paragraph 5.4 "Polyethylene", herein incorporated by reference. Where the requirements of IAPMO PS 1-93 Paragraph 5.4 "Polyethylene" conflict with the standards in this section, the standards in this section shall apply. A test report from an independent testing laboratory is required to substantiate that individual receptacle designs and material formulations meet these requirements.

~~(f) A test report from an independent testing laboratory is required to substantiate that individual tank designs and material formulations meet the requirements of (d) above.~~

~~(d) Approval~~ ~~(g) Reapproval of designs approved prior to August 31, 1999 and approval~~ of new designs shall not be granted until the following has been completed and submitted as part of the application:

1. Establish a design mix and production process. Record the ~~fiberglass and resin~~ material specifications and other pertinent design data. Record the production process, for example; measuring equipment, batch sizes, mixing sequence, transportation techniques from mixer to mold, and spraying techniques.

2. Construct three receptacles tanks using the design mix.

3. Test two sets of test strips from the design mix.

4. Structural proof test three receptacles tanks to the design strength per paragraph 64E-6.013(1)(c)~~(e)~~, F.A.C., for receptacles tanks having an effective capacity of 1350 gallons or less.

5. Structural proof test one receptacle tank to the design strength in accordance with paragraph Rule 64E-6.013(1)(c) ~~(e)~~, F.A.C., for receptacles tanks having an effective capacity greater than 1350 gallons.

6. Verify that the manufacturer is not planning to relocate the receptacles tanks prior to the receptacle tank achieving 75% of the design compressive strength. Record how this is accomplished.

~~(7)(8)~~ No change.

~~(8)(9)~~ Laundry waste interceptor – when a separate system is installed to accept effluent from a single home washing machine only, the retention tank or interceptor for such system shall meet the following minimum standards:

(a) The minimum effective capacity shall be 225 gallons for establishments with an estimated sewage flow of up to 300 gallons per day and shall be increased by 50 gallons for every 100 gallons of additional daily sewage flow.

(b) The interceptor shall be provided with a vented inlet tee, vented sweep, or a baffle.

(c) The interceptor shall not receive waste flow from kitchen fixtures or be used as a grease trap.

~~(9)(10)~~ Pump tanks and pumps – when used as part of an onsite sewage treatment and disposal system, the following requirements shall apply to all pump tanks manufactured for use in Florida unless specifically exempted by other provisions of these rules:

(a) through (b) No change.

(c) The electrical conduit and effluent dosing pipe shall exit the dosing chamber through the tank outlet using plumbing fittings and reducers to produce a watertight seal or, when risers are used, the electrical line and the effluent dosing pipe may penetrate the riser wall provided the penetration is above the wet season ~~seasonal~~ high water table elevation and there is a soil-tight seal around the penetrations. When the top of the

dosing tank is placed more than 8 inches below the finished grade, risers shall be used to provide access within 8 inches of the finished grade. Where risers are used, risers shall be attached to the tank in accordance with paragraph section 64E-6.013(2)(i), F.A.C. The unused tank outlet shall be sealed with a length of capped PVC pipe installed in accordance with paragraph section 64E-6.013(2)(f), F.A.C.

(d) No change.

~~(10)(11)~~ No change.

~~(11)(12)~~ No change.

~~(12)(13)~~ All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4),(13), ~~381.006~~, 381.0065(3)(a), ~~489.553~~ FS. Law Implemented ~~154.01~~, ~~381.001(2)~~, ~~381.0011(4)~~, ~~381.0012~~, ~~381.0025~~, ~~381.006(7)~~, ~~381.0064~~, 381.0065, ~~381.0067~~, ~~386.041~~, ~~489.553~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.55, Amended 3-17-92, 1-3-95, Formerly 10D-6.055, Amended 11-19-97, 2-3-98, 3-22-00, 4-21-02, 5-24-04, \_\_\_\_\_.

64E-6.014 Construction Standards for Drainfield Systems.

(1) through (2) No change.

(3) Low-Pressure Automatic dosing – where the total required area of drainfield is greater than 1000 square feet or where the applicant proposes to use low-pressure dosing, an automatic dosing device discharging into a low pressure distribution network consisting of 2 inch or smaller diameter schedule 40 PVC or equal pipe with 1/2 inch or smaller diameter drilled holes designed by a registered engineer shall be used. All piping shall use solvent welded connections or equal throughout to prevent dislocation of connections under pressure. The network shall be designed for equal distribution of effluent. For the purposes of this section, equal distribution shall mean that the flow from the least effective hole in the network shall deliver no less than 75% of the flow from the most effective hole. The selected pump capacity (as measured in Gallons Per Minute) versus total dynamic head shall be indicated on a pump curve and shall be shown by calculation to achieve an effluent velocity through the network of at least 2 ft per second to the first exit hole on each lateral. Each line of the pressure network shall individually connect to a pressure manifold and be sealed on their distal ends and shall not be looped with other lines regardless of whether the drainfield is a bed or a trench or whether it is in a mound, filled subsurface installation. Plans and equipment specifications for automatic low-pressure dosing systems shall be approved by the department prior to construction or installation.

(a) through (b) No change.

(c) The volume dosed between the pump operating levels shall be adequate to assure that the entire drain pipe network is ~~dosed~~ filled at least four times each cycle, ~~or as stipulated by the design engineer.~~

(d) When a drainfield is installed in slightly limited soil, operating levels shall be adjusted to dose the drainfield a maximum of six times in a 24 hour period. For moderately limited soils the drainfield shall be dosed no more than two times in a 24 hour period. More frequent dosing may be allowed with systems designed by engineers licensed registered in the state of Florida.

(e) The distribution network for drainfields having an absorption area less than 1500 square feet shall be designed by a Florida licensed professional engineer or a master septic tank contractor. The network for drainfields having an absorption area of 1500 square feet or larger shall be designed by a Florida licensed professional engineer.

(f) Drip emitter systems shall be designed in accordance with subsection 64E-6.009(5), F.A.C.

(4) No change.

(5) Drain trenches and absorption beds – drain trenches and absorption beds are the standard subsurface drainfield systems used for disposing of effluent from septic tanks or other sewage waste receptacles. When used, these systems shall be constructed as specified below.

(a) through (h) No change

(i) The maximum length of drain lines shall not exceed 100 feet for all gravity-fed and lift-dosed drainfields, and where two or more drain lines are used, they shall be, as near as practical, the same length. The ends of two or more drain lines in bed and mound systems shall be connected to produce a continuous circuit. A continuous circuit arrangement is also recommended but not required for standard drain trench systems. However, when a continuous circuit arrangement is not used, the distal ends of the drain lines shall be capped or sealed.

(j) through (k) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at [www.MyFloridaEH.com](http://www.MyFloridaEH.com) or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), ~~489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041~~ FS. History–New 12-22-82, Amended 2-5-85, Formerly 10D-6.56, Amended 3-17-92, 1-3-95, Formerly 10D-6.056, Amended 2-3-98, 3-22-00, 5-24-04, \_\_\_\_\_.

64E-6.015 Permitting and Construction of Repairs.

All repairs made to a failing onsite sewage treatment and disposal system shall be made only with prior knowledge and written approval from the DOH county health department having jurisdiction over the system. Approval shall be granted only if all of the following conditions are met:

(1) No change.

(2) Site evaluations necessary to obtain the above referenced information shall be conducted at the expense of the owner or lessee by department personnel, by an engineer who is licensed registered in the State of Florida, or by other qualified persons as per subsection Rule 64E-6.004(3), F.A.C. Site specific information may be obtained by the applicant through examination of department records of permits previously issued for the site.

(3) through (12) No change.

Specific Authority 381.0011(4), (13), ~~381.006~~, 381.0065(3)(a), ~~489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041~~ FS. History–New 3-17-92, Amended 1-3-95, 2-13-97, Formerly 10D-6.0571, Amended 2-3-98, 3-22-00, 5-24-04, \_\_\_\_\_.

64E-6.018 System Location, Design and Maintenance Criteria.

Table III of Chapter 64E-6, F.A.C., Part I, and other subsections of Part I pertaining to soil texture, soil depth, and maximum sewage loading rates for specific soils shall not apply to areas subject to the provisions of this Part except for Table III, footnote 2. as it relates to the falling head percolation test procedure. However, approved system design criteria, system location, operation, maintenance and monitoring requirements of subsections 64E-6.018(1), (2), (3), and (4), F.A.C., shall apply. A minimum of one soil profile and one percolation test per application shall be required for site evaluations performed in the Florida Keys. However, a soil profile and percolation test is not required when the system design engineer chooses the use of an injection well for effluent disposal. All new onsite sewage treatment and disposal systems shall be performance-based treatment systems designed by an engineer licensed registered in the State of Florida and shall meet the minimum level of waste treatment as defined in Rule 64E-6.017, F.A.C. All receptacles subject to a positive buoyancy exposure shall be anchored or otherwise weighted to prevent flotation during flooding periods. The receptacles shall be evaluated for buoyancy while in their normal operating condition.

(1) through (4) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0065(3)(a) ~~and (4)(4)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655~~ FS. History–New 7-15-86, Amended 3-17-92, 1-3-95, Formerly 10D-6.063, Amended 3-3-98, 3-22-00, 4-21-02, \_\_\_\_\_.

64E-6.0181 Cesspit and Undocumented System Replacement and Interim System Use.

- (1) through (2) No change.
- (3) Interim systems standards shall be:

(a) No change.

(b) A performance-based treatment system designed and certified by a professional engineer, ~~licensed registered~~ in the state, as producing an effluent meeting at a minimum the treatment standards for a system designed in accordance with ~~paragraph rule~~ 64E-6.0181(3)(a), F.A.C., and permitted, constructed and monitored in accordance with Part IV.

Specific Authority 381.0011(4), (13), ~~381.006, 381.0065(3)(a), (4)(k)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.006(7), 381.0061, 381.0065, 381.00655, 386.01, 386.03, 386.041~~ FS., 2001-337, LOF. History–New 3-3-98, Amended 3-22-00, 4-21-02, 5-24-04, \_\_\_\_\_.

64E-6.019 Requirements for Registration.

- (1) through (2) No change.

(3) A person shall be eligible to take the registration examination if they submit necessary exhibits and fees and meet the requirements of ~~Section s~~ 489.553(4), F.S.

(a) Under the supervision and control of a registered septic tank contractor or a plumbing contractor in Section 489.553(4)(d), F.S., is defined as an employment relationship where compensation can be documented by the regular deduction of FICA and federal withholding tax ~~and the provision of worker's compensation, all~~ as required by law. Principal officers of a corporation or partners of a partnership providing onsite sewage contracting services shall be recognized as being under the supervision and control of the corporation's or partnership's qualifying registered septic tank contractor or plumbing contractor.

(b) through (c) No change.

(4) Completed applications for registration must be received by the department's Onsite Sewage Program at least 21 days prior to examination. In order to be complete, the application must have all appropriate spaces filled, be signed by the applicant, be reviewed by the county health department where the applicant provides service, include a money order or sufficiently funded check in the correct amount and contain all necessary support documentation. Support documentation shall include:

(a) through (c) No change.

(d) Documentation of payment of federal withholding tax and social security ~~and worker's compensation, all~~ as required by law. For principle corporate officers of a corporation or partners in a partnership ~~the corporation~~, legal documentation of their position in the corporation or partnership may be substituted for withholding tax ~~and~~ social security ~~and worker's compensation~~ documentation.

(e) No change.

(5) No change.

Specific Authority ~~154.06(1), 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(2), (3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011(4), 381.0012, 381.006, 381.0061, 381.0065, Part III~~ 489.552, 489.553 FS. History–New 10-25-88, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.072, Amended 2-3-98, 4-21-02, 6-18-03, \_\_\_\_\_.

64E-6.020 Master Septic Tank Contractors.

- (1) through (4) No change.

(5) Master septic tank contractor certificates shall be renewed only after the contractor has completed 18 ~~12~~ classroom hours of approved instruction for each renewal cycle. At least 6 classroom hours must be successfully completed in an approved master contractor course. Instructional time spent by a master septic tank contractor in providing department approved continuing education training shall receive credit as master contractor course hours. Application for renewal shall be made on Form DH 4076, 01/03, Application for Septic Tank Contractor Registration Renewal, herein incorporated by reference, accompanied by the required supporting documentation and fees.

(a) A master septic tank contractor who only completes 12 ~~6~~ classroom hours of approved instruction during the renewal cycle shall revert to registered septic tank contractor status and shall apply for renewal under Rule 64E-6.021, F.A.C.

(b) through (e) No change.

(6) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 ~~by contacting the department.~~

Specific Authority ~~154.06(1), 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(2), (3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011(4), 381.0012, 381.006, 381.0061, 381.0065, Part III~~ 489.552, 489.553 FS. History–New 2-13-97, Formerly 10D-6.0725, Amended 2-3-98, 4-21-02, 6-18-03, \_\_\_\_\_.

64E-6.021 Issuance of Registration Certificates and Renewal.

(1) Certificates of registration shall be renewed only after information has been provided to the department that the contractor has successfully completed 12 ~~6~~ classroom hours of department-approved instruction within the previous 12-month period. However, if a registered contractor successfully completes more hours of approved instruction than are required for registration renewal ~~12 or more classroom hours of approved instruction~~ within a 12-month period, a maximum of 6 unused hours can be rolled over to renew their next year's certificate of registration. Such information shall be accompanied by necessary renewal fees and a completed renewal application on Form DH 4076, Application for Septic Tank Contractor Registration Renewal.



(2) No change.

(3) A registered contractor may request inactive status. Inactive registrations not renewed in five renewal cycles from the date of inactivation shall be considered null and void. Persons wishing to renew an inactive registration must make application on Form DH 4076 and substantiate 12 ~~six~~ classroom hours of approved instruction for each year the registration was considered inactive. Application must be accompanied by necessary exhibits and renewal fees.

(4) through (6) No change.

(7) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~154.06, 381.0011, 381.006, 381.0065, 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001, 381.0011, 381.0012, 381.0025, 381.006, 381.0061, 381.0065, 381.00655, 381.0066, 381.0067, 386.041, Part III 489.552, 489.553, 489.554~~ FS. History–New 10-25-88, Amended 3-17-92, 1-3-95, 5-14-96, 2-13-97, Formerly 10D-6.073, Amended 3-22-00, 4-21-02, 5-24-04,\_\_\_\_\_.

64E-6.025 Definitions.

Definitions in Chapter 64E-6, Parts I and II, are also applicable to Chapter 64E-6, Part IV.

(1) through (9) No change.

(10) Performance-based treatment system – a specialized onsite sewage treatment and disposal system designed by a professional engineer with a background in wastewater engineering, licensed registered in the state of Florida, using appropriate application of sound engineering principles to achieve specified levels of CBOD<sub>5</sub> (carbonaceous biochemical oxygen demand), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), and fecal coliform found in domestic sewage waste, to a specific and measurable established performance standard. This term also includes innovative systems.

(11) through (15) No change.

Specific Authority ~~381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, 386.041, 489.553~~ FS. History–New 2-3-98, Amended 3-22-00, 6-18-03,\_\_\_\_\_.

64E-6.026 Applications for Innovative System Permits and System Construction Permits.

(1) Applications for innovative system permits – Applications for innovative system permits shall be made using form DH 3143 herein incorporated by reference. The application and all supporting information shall be signed, dated and sealed by an engineer, licensed registered in the State of Florida. Except as provided for in subsection 64E-6.028(3) F.A.C., alternative drainfield materials and designs shall not be approved which would result in a reduction in drainfield size

using the mineral aggregate drainfield system as described in Rule section 64E-6.014, F.A.C., and the total surface area of soil at the bottom of the drainfield as the criteria for drainfield sizing comparisons. Applications shall include:

(a) through (b) No change.

(2) No change.

(3) All materials incorporated herein may be obtained from the Bureau of Onsite Sewage Programs at www.MyFloridaEH.com or 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1713 by contacting the department.

Specific Authority ~~381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0067, Part I 386, 489.553~~ FS. History–New 2-3-98, Amended 6-18-03,\_\_\_\_\_.

64E-6.030 Fees.

(1) No change.

(2) Except for the ~~time limited~~ research fee which is to be placed in a designated account, all fees collected pursuant to paragraphs ~~Rule~~ 64E-6.030(1)(a) through ~~(w)(v)~~, F.A.C., shall be deposited in an individual county health department trust fund to be used to meet the cost of administering the onsite sewage treatment and disposal program.

(3) No change.

Specific Authority ~~154.06(1), 381.0011(13), 381.006, 381.0065(3)(a), 381.0066, 489.553(3), 489.557(1)~~ FS. Law Implemented ~~154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.006(7), 381.0061, 381.0065, 381.0066, 381.0067, 386.041, 489.553, 489.554, 489.555, 489.557~~ FS. History–New 2-3-98, Amended 3-22-00, 4-21-02, 5-24-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Holcomb, Environmental Manager, Bureau of Onsite Sewage Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerald Briggs, Chief, Bureau of Onsite Sewage Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2006

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 3, 2005 and June 16, 2006

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

RULE NO.:	RULE TITLE:
12C-3.008	Public Use Forms