

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B8-30.003    Physician Assistant Licensure  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to clarify and modify the incorporated application.

**SUBJECT AREA TO BE ADDRESSED:** Incorporation of the revised application.

**RULEMAKING AUTHORITY:** 456.013, 456.031(2), 456.033, 458.309, 458.347 FS.

**LAW IMPLEMENTED:** 456.013, 456.0135, 456.017, 456.031, 456.033, 456.0635, 458.347, 459.022 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, or by email at Paul.Vazquez@flhealth.gov

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

**RULE NO.:**       **RULE TITLE:**  
64B15-6.003    Physician Assistant Licensure  
**PURPOSE AND EFFECT:** The Board proposes the development of a rule amendment to clarify and modify the incorporated application.

**SUBJECT AREA TO BE ADDRESSED:** Incorporation of the revised application

**RULEMAKING AUTHORITY:** 459.005, 459.022, (12) FS.  
**LAW IMPLEMENTED:** 456.013, 456.0135, 456.031, 456.033, 456.0635, 459.022 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by email at Allen.Hall@flhealth.gov.

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

**RULE NOS.:**       **RULE TITLES:**  
12A-1.0015       Sales for Export; Sales to Nonresident  
                          Dealers and Foreign Diplomats  
12A-1.097         Public Use Forms

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to implement the provisions of s. 212.06(5)(b), F.S., as amended by Section 18 of Chapter 2021-31, L.O.F. These legislative changes create a process by which a forwarding agent may apply to the Department for and receive a Certificate of Forwarding Agent Address; the provisions require the Department to publish a complete list of certificate holders to its website. Tangible personal property which has been imported, produced, or manufactured in Florida is not subject to tax if the tangible personal property is delivered to a forwarding agent for export and if that forwarding agent holds a Certificate of Forwarding Agent Address. Rules 12A-1.0015 and 12A-1.097, F.A.C., implement these legislative changes.

**SUMMARY:** The proposed amendments to Rule 12A-1.0015 outline the application process, eligibility criteria, and renewal requirements for a Florida Certificate of Forwarding Agent Address, as well recordkeeping requirements and when a forwarding agent is required to collect and remit tax. The proposed revision to Rule 12A-1.097 incorporates a new form to apply for a Florida Certificate of Forwarding Agent Address, Form DR-1FA.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the

statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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.

**RULEMAKING AUTHORITY:** 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.04(4), 212.0515(7), 212.0596(3), 212.06(5)(b)13., 212.07(1)(b), 212.08(5)(b)4., (n)4., (o)4., (7), 212.099(10), 212.11(5)(b), 212.12(1)(a)2., 212.17(8), 212.18(2), (3), 212.183, 213.06(1), 288.1258(4)(c), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 1002.40(16) FS.

**LAW IMPLEMENTED:** 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 202.11(2), (3), (6), (16), (24), 202.22(3)-(6), 202.28(1), 203.01, 212.02(1), 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0506(4), (11), 212.0515, 212.054, 212.055, 212.0596, 212.05965, 212.06, 212.0606, 212.07, 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.099, 212.11, 212.12, 212.13, 212.14(2), (4), (5), 212.15(1), 212.16(1), (2), 212.18(2), (3), 212.183, 212.1832, 212.19, 212.21(3), 213.235, 213.29, 213.37, 213.755, 215.26(6), 219.07, 288.1258, 290.00677, 365.172(9), 373.41492, 376.70, 376.75, 403.718, 403.7185, 443.131, 443.1315, 443.1316, 443.171(2), 465.187, 616.260, 681.117, 1002.40(13) FS.

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

**DATE AND TIME:** April 22, 2022, at 10:00 a.m.

**PLACE:** 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida 32399. Members of the public can also attend electronically via webinar; participants will need to register for the webinar using the following link: <https://attendee.gotowebinar.com/register/6420712921663012878>.

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 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. 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 RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email [RuleComments@floridarevenue.com](mailto:RuleComments@floridarevenue.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.0015 Sales for Export; Sales to Nonresident Dealers and Foreign Diplomats.

(1) Scope.

(a) Tangible personal property imported, produced, or manufactured in this state for export, as provided in Section 212.06(5)(a)1., F.S., is not subject to Florida sales tax when the importer, producer, or manufacturer delivers the property to a forwarding agent licensed exporter for export ~~outside Florida~~ or to a common carrier for shipment outside Florida, or mails the property by United States mail to a destination outside Florida. ~~This rule is intended to provide tax guidelines for the sale of tangible personal property for the purposes of export from Florida.~~

(b) No change

(2) Sales of property irrevocably committed to exportation.

(a) No change

(b) When a dealer sells tangible personal property, commits the property to the exportation process at the time of sale, and the exportation process remains continuous and unbroken until the property is exported from Florida, the dealer is not required to collect tax. The intent of the seller and the purchaser to export the property is not sufficient to establish that the property is not subject to tax in Florida. The delivery of the property to a location in Florida for subsequent export from Florida is insufficient to establish documentary evidence that the property sold was irrevocably committed to the exportation process. The following are examples of methods to commit the property to the exportation process at the time of sale:

1. through 2. No change

3. The dealer is required by the terms of the sale contract to deliver the property to a carrier, licensed customs broker, or forwarding agent for final and certain movement of the property to a destination located outside Florida.

a. through b. No change

c. The term “forwarding agent” means a person or business whose principal business activity is facilitating for compensation the export of property owned by other persons ~~regularly engaged in the business of preparing property for shipment or arranging for its shipment for compensation.~~

d. No change

(c) No change

(d)1. Any dealer who makes tax exempt sales of tangible personal property and, in good faith, accepts a valid copy of a

Florida Certificate of Forwarding Agent Address or relies on the list of designated forwarding agent addresses on the Department's website and then ships the property to the designated address on the certificate for export outside of the United States is not liable for any tax due on sales made during the effective dates of the certificate. The dealer must maintain documentation that the property was shipped or delivered by the dealer directly to the forwarding agent address.

2. If tax was not collected by a dealer on tangible personal property shipped to a designated forwarding agent address and the tangible personal property remained in Florida or if delivery to the purchaser or purchaser's agent occurred in Florida, then the forwarding agent must remit applicable tax on the tangible personal property. This subparagraph does not prohibit the forwarding agent from collecting such tax from the consumer of the tangible personal property.

(d) renumbered (e) No change

(f) (e) Regardless of the evidence maintained by the dealer to document delivery of the property to a common carrier, forwarding agent, or a licensed customs broker for shipment to a location outside Florida, or the mailing of the property by the United States mail to a location outside Florida, tax is due when the property is diverted in transit to the purchaser or the purchaser's agent or representative in Florida and such person takes possession in Florida, or when for any other reason the property is not delivered outside Florida.

(3) No change

(4) Florida Certificate of Forwarding Agent Address; Application; Eligibility.

(a) To apply for a Florida Certificate of Forwarding Agent Address, an applicant must submit a complete Application for a Florida Certificate of Forwarding Agent Address (Form DR-1FA, incorporated by reference in Rule 12A-1.097, F.A.C.), a Florida Business Tax Application (Form DR-1, incorporated by reference in Rule 12A-1.097, F.A.C.), and documentation sufficient to substantiate the applicant's eligibility for the certificate, including the applicant's most recently filed federal income tax return. An application for a certificate is complete when all information required to be submitted by Section 212.06(5)(b), F.S., the application, and this rule is provided to the Department.

(b) To receive a certificate, an applicant is required to demonstrate that:

1. The applicant's principal business activity is facilitating for compensation the export of property owned by other persons;

2. The applicant is engaged in international export; and

3. The designated address for which certification is sought is used exclusively by the applicant for receiving tangible personal property originating with a United States vendor for

export out of the United States through a continuous and unbroken exportation process.

(c) Each applicant is required to provide the following to demonstrate the business is engaged in the export of property owned by others and supported by the following information:

1.a. A copy of the applicant's federal income tax return for the preceding taxable year with NAICS code 488510; or

b. A copy of the applicant's federal income tax return for the preceding taxable year with a NAICS code consistent with the principal business activity of a forwarding agent and an explanation why the NAICS code demonstrates the applicant is a forwarding agent; or

c. An explanation as to why the business did not file a federal income tax return for the preceding taxable year and the NAICS code under which the applicant intends to file a federal income tax return.

2. A description of all business activity that occurs at each designated address submitted on the Application for a Florida Certificate of Forwarding Agent Address.

3.a. Applicants who include a copy of their federal income tax return are required to include a statement of total revenues, a statement of revenues associated with facilitating for compensation the export of property owned by other persons, and a statement of revenues associated with international export. These statements must be from the year preceding the date of application.

b. Applicants who do not include a copy of their federal income tax return are required to include a statement of total estimated revenues, a statement of estimated revenues associated with facilitating for compensation the export of property owned by other persons, and a statement of estimated revenues associated with international export.

4. Certification that

a. The tangible personal property delivered to the designated address for export originates with a United States vendor; and

b. The tangible personal property delivered to the designated address for export is irrevocably committed to export out of the United States through a continuous and unbroken exportation process; and

c. The designated address is used exclusively by the forwarding agent for such export; and

d. The principal business activity is that of a forwarding agent; and

e. The applicant is engaged in international export.

(d) When an application is approved, the applicant will be issued a Florida Certificate of Forwarding Agent Address (Form DR-14FAA), which is valid from the "Issue Date" through the "Expiration Date" as indicated on the certificate unless revoked or surrendered prior to the expiration date. After

a certificate is issued, the following information will be published on the Department's website:

1. The name of the forwarding agent's business.
2. The designated address of the forwarding agent.
3. The issue date and the expiration date provided on the certificate.

(e) When an application is incomplete, the Department will issue a letter notifying the applicant of the documentation or information that is to be provided to the Department within 30 days following the date of the notification. If an applicant fails to provide the required documentation or information and the application remains incomplete or the Department is not able to approve an application, a notice explaining the reason for the denial will be mailed to the applicant. The applicant may protest the denial pursuant to Sections 120.569 and 120.57, F.S., within 21 days after the date of the notice.

(f) Beginning July 1, 2023, each business holding a Florida Certificate of Forwarding Agent Address must submit Form DR-1FA to verify the designated address used by the forwarding agent no later than July 1 each year.

(g) Within 30 days of any material change, business holding a Florida Certificate of Forwarding Agent Address must submit an updated Form DR-1FA documenting the material change.

1. A change is considered material if the change affects the following information previously submitted by the certificate holder:

- a. Florida Business Partner Number
- b. Federal Employer Identification Number (FEIN)
- c. Legal Name of Business
- d. Contact Person, including changes to their contact information
- e. Mailing Address
- f. Business Website
- g. Designated Address(es)
- h. Description of all business activity conducted at the designated address(es)

i. Federal Income Tax Return (if one was not included with the initial application)

2. A change is not considered material if it relates to a new federal income tax return if one was provided with the initial application; new documentation demonstrating the applicant remains engaged in international export; or changes in revenues or estimated revenues, unless the changes demonstrate that the principal business activity is no longer the facilitation for compensation the export of property owned by others.

3. The Department will notify the applicant when a material change requires submission of an updated Form DR-1.

(h) At least 30 days before the expiration date on a Certificate of Forwarding Agent Address, an application for renewal must be submitted using Form DR-1FA, along with

documentation sufficient to substantiate the applicant's eligibility for the certificate. Form DR-1 is not required to be submitted with a renewal application, unless the Department notifies the applicant. The Department will review the renewal application in the same manner as the initial application.

(i) Certificate holders must immediately notify the Department, in writing, should the business no longer meet the eligibility requirements, provided in paragraph (b), for a Florida Certificate of Forwarding Agent Address and must surrender their certificate.

1. The written notification must include the Florida business partner number, federal employer identification number (FEIN), legal name of business, a statement as to why the business no longer meets the requirements of a forwarding agent as provided in Section 212.06(5)(b), F.S., and the business is surrendering its Florida Certificate of Forwarding Agent Address.

2. The written notification is to be submitted to the Department by email at Exemptions@floridarevenue.com, by fax to 850-488-5997, or by mail to:

Account Management MS 1-5730  
Florida Department of Revenue  
5050 W Tennessee St  
Tallahassee FL 32399-0160

(j) If at any time the Department has reason to believe that a business holding a Florida Certificate of Forwarding Agent Address is not eligible for a certificate or is otherwise not in compliance with Section 212.06(5)(b), F.S., or this rule, the certificate holder will be sent a written notice of intent to revoke the certificate stating the reasons for such revocation.

1. The Department may request information from the certificate holder regarding its business operations to demonstrate its eligibility for a certificate or its compliance with all provisions of Section 212.06(5)(b), F.S., and this rule. Failure to provide the requested information within thirty (30) days of request is grounds for revocation of the certificate.

2. The certificate holder has the right to request an administrative hearing, to be conducted in accordance with Sections 120.569 and 120.57, F.S. and Rule Chapter 28-106, F.A.C., to dispute the notice of intent to revoke the certificate. The request must be received by the Department within 30 consecutive calendar days after the date of the notice. The Department's notice of intent to revoke the certificate will become final if no timely request for a hearing is received or if, following an administrative hearing, the Department issues a final order revoking the certificate.

(k) An entity whose Florida Certificate of Forwarding Agent Address has expired, been surrendered, or revoked by the Department is prohibited from extending a copy of its certificate to a selling dealer. Upon surrender, revocation, or expiration of a certificate without renewal, the forwarding

agent's information will be removed from the Department's online list of forwarding agents holding a valid Florida Certificate of Forwarding Agent Address.

(4) renumbered (5) No change

(6) ~~(5)~~ Recordkeeping requirements.

(a) 1. Selling dealers must maintain copies of internal delivery orders and supporting documentation, trip tickets, truck log records, United States Postal Service parcel post receipts, bills of lading, receipts from common carriers, export declarations, customs documents, receipts from licensed customs brokers, statements signed by a customs officer, declarations by nonresident dealers, copies of tax-exemption cards issued by the United States Department of State, exemption certificates, and other documentation required under the provisions of this rule until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under Section 95.091(3), F.S.

2. ~~(b)~~ Electronic storage by the selling dealer of the required certificates and other documentation ~~through use of imaging, microfiche, or other electronic storage media~~ will be sufficient compliance with the provisions of this subsection.

(b)1. Forwarding agents must maintain copies of sales invoices or receipts between the vendor and the consumer when provided by the vendor or export documentation evidencing the value of the purchase consistent with the federal Export Administration Regulations, 15 C.F.R. parts 730-774; copies of federal income tax returns evidencing the forwarding agent's NAICS principal business activity code; copies of invoices or other documentation evidencing shipment to the forwarding agent; invoices between the forwarding agent and the consumer or other documentation evidencing the ship-to destination outside the United States; invoices for foreign postal or transportation services; bills of lading; and any other export documentation.

2. These records must be kept in an electronic format and made available to the Department at reasonable times and by reasonable means.

Rulemaking Authority 212.06(5)(b)13., 212.18(2), 213.06(1) FS. Law Implemented 212.02(20), 212.05(1), 212.06(1), (2), (5)~~(a)1.~~, ~~(b)~~, 212.12(9), 212.13(1), (2), (3), (4), 212.21(3), 213.37 FS. History—New 6-12-03, XX-XX-XX.

12A-1.097 Public Use Forms.

(1) No change

Form Number	Title	Effective Date
(2)(a) through (f)	No change	

(g) DR-1FA	Application for a Florida Certificate of Forwarding Agent Address ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-_____">http://www.flrules.org/Gateway/reference.asp?No=Ref-_____</a> )	XX/X X
(3) through (24)	No change	

Rulemaking Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.0596(3), 212.06(5)(b)13., 212.07(1)(b), 212.08(5)(b)4., (n)4., (o)4., (7), 212.099(10), 212.11(5)(b), 212.12(1)(a)2., 212.18(2), (3), 212.183, 213.06(1), 288.1258(4)(c), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), ~~443.171(2), (7)~~, 1002.40(16) FS. Law Implemented ~~92.525(1)(b)~~, 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 202.11(2), (3), (6), (16), (24), 202.22(3)-(6), 202.28(1), 203.01, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.0596, 212.05965, 212.06, 212.0606, 212.07(1), (8), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.099, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.14(2), (4), (5), 212.18(2), (3), 212.183, 212.1832, 213.235(1), (2), 213.29, 213.37, 213.755, 215.26(6), 219.07, 288.1258, 290.00677, 365.172(9), 376.70(2), 376.75(2), 403.718, 403.7185(3), 443.131, 443.1315, 443.1316, 443.171(2), 1002.40(13) FS. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, 6-12-03, 10-1-03, 9-28-04, 6-28-05, 5-1-06, 4-5-07, 1-1-08, 4-1-08, 6-4-08, 1-27-09, 9-1-09, 11-3-09, 1-11-10, 4-26-10, 6-28-10, 7-12-10, 1-12-11, 1-25-12, 1-17-13, 5-9-13, 1-20-14, 1-19-15, 1-11-16, 4-5-16, 1-10-17, 2-9-17, 1-17-18, 4-16-18, 1-8-19, 10-28-19, 12-12-19, 3-25-20, 12-31-20, XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Danielle Boudreaux

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2021

**DEPARTMENT OF CITRUS**

RULE NO.: 20-3.007 RULE TITLE: Post-Estimate Price Report

PURPOSE AND EFFECT: Update trade secret definition based on new legislation and incorporate by referenced the Statement of Trade Secret Form under 20-100.004, F.A.C.

SUMMARY: Trade secret definition  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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.

RULEMAKING AUTHORITY: 601.10(1), 601.15(10)(a) F.S.  
LAW IMPLEMENTED: 601.10(8), 601.15(4), 601.69, 119.0715 F.S.

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

DATE AND TIME: May 18, 2022 at 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Belinette Jones, Legal Assistant, Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010 or BJones@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**20-3.007 Post-Estimate Price Report.**

(1) through (3) No change.

(4)(a) The Department of Citrus shall compile and publish, subsequent to the initial USDA Crop Estimate (generally released in October of each year), audited Post-Estimate Price Reports six times during the citrus season: upon the early/mid season varieties harvest being 33% complete, 66% complete and 100% complete; and upon the late season varieties harvest being 33% complete, 66% complete and 100% complete. Unaudited reports shall be posted to the website beginning four weeks after the Department of Citrus has received data from a licensed facility or facilities and additional reports shall be submitted every four weeks thereafter. The number of facilities reporting activity shall not be disclosed within the facility data that is ultimately reported by the Department of Citrus. ~~Any reporting facility that considers its data to constitute trade secret data, and therefore confidential, shall label its data as trade secrets and shall provide, in writing, the nature of such data to the Department of Citrus at the time it is provided to the Department of Citrus. Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this subsection, the data provided to the Department of Citrus will not be protected as a trade secret, as defined in Section 812.081, F.S.~~ Calculations used in this report are on a weighted average basis.

Calculations used in this report are on a weighted average basis.

(b) Any data reported to the Florida Department of Citrus that a reporting facility deems to be trade secret (i) shall be clearly labeled as "Trade Secret" at the time it is submitted to

the Department of Citrus and (ii) shall be designated a trade secret on a Statement of Trade Secret Form under 20-100.004, F.A.C.(i) shall be clearly labeled as "Trade Secret" at the time it is submitted to the Department of Citrus and (ii) at the time of such submittal, the reporting facility shall submit, in writing, the nature of such data that demonstrates it is a trade secret under Section 812.081(1)(c), F.S., including specific designations as to what portion of the data is to be treated by the Department of Citrus as a trade secret. Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this subsection, the data provided to the Department of Citrus will not be treated as a trade secret, as defined in Section ~~688.002~~812.081, F.S.

(5) No change.

Rulemaking Authority 601.10(1), 601.15(10)(a) FS. Law Implemented 601.10(8), 601.15(4), 601.69, 119.0715 FS. History—New 8-31-15, Amended 1-24-19, 2-2-20, 11-26-20, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: March 16, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: March 17, 2022

**DEPARTMENT OF CITRUS**

RULE NO.: RULE TITLE:

20-9.009: Trade Secret Exemption

PURPOSE AND EFFECT: Updating trade secret definition based on new legislation and incorporate by referenced the Statement of Trade Secret Form under 20-100.004, F.A.C.

SUMMARY: Trade secret definition.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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.

RULEMAKING AUTHORITY: 601.10(1), 601.15(10)(a) F.S.  
 LAW IMPLEMENTED: 601.15, 601.152(8)(c), 119.0715 F.S.  
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 18, 2022 at 9:00 a.m.  
 PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Belinette Jones, Legal Assistant, Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010 or BJones@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**20-9.009 Trade Secret Exemption.**

(1) Any data reported to the Florida Department of Citrus that a facility deems to be a trade secret (i) shall be clearly labeled as “Trade Secret” at the time it is submitted to the Department of Citrus and (ii) shall be designated a trade secret on a Statement of Trade Secret Form under 20-100.004, F.A.C.(i) shall be clearly labeled as “Trade Secret” at the time it is submitted to the Department of Citrus, and (ii) at the time of such submittal, the reporting facility also shall submit, in writing, the nature of such data that demonstrates it is a trade secret under Section 812.081(1)(e), Fla Stat., and specific designations as to what portion of the data is to be treated by the Department of Citrus as a trade secret.

(2) Individual facility information reported pursuant to this rule shall be held confidential as a designated trade secret and defined in Section 688.002(4)812.081, F.S., and treated as exempt from the provisions of Section 119.07(1), F.S.

(3) Absent a written declaration that the facility deems the data to be a trade secret in compliance with the process set forth in this rule, the data provided to the Department of Citrus will not be treated as a trade secret, as defined in Section 688.002(4)812.081, F.S.

Rulemaking Authority 601.10(1), 601.15(1) FS. Law Implemented: 601.15, 601.152(8)(c), 119.0715 FS. History—New 11-26-20, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 17, 2022

**DEPARTMENT OF CITRUS**

RULE NO.: 20-13.029      RULE TITLE: LB8-9: Classification and Standards:  
 PURPOSE AND EFFECT: New rule classifying the new variety of citrus hybrid “LB8-9” as a mandarin/tangerine to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.  
 SUMMARY: Classification the new variety of citrus hybrid “LB8-9”.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the economic criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) F.S.

LAW IMPLEMENTED: 601.11, 601.9910(3) F.S.  
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 18, 2022 at 9:00 a.m.  
 PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Belinette Jones, Legal Assistant, Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010 or BJones@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.029 LB8-9: Classification and Standards:

(1) Classification: The market classification of the citrus hybrid “LB8-9” shall be “Tangerine” or “Mandarin,” a mandarin hybrid (*Citrus reticulata* x (*Citrus paradisi* x *Citrus reticulata*))

(2) Identification:

(a) The proper identification shall be either Sugar Belle® brand (subject to a written agreement with Florida Foundation Seed Producers or its designee), “Florida Tangerine,” “Tangerine,” “Florida Mandarin” or “Mandarin” and one such name shall be used whenever this fruit is identified.

(b) In order to be marketed as “Florida Mandarin” or “Mandarin” the fruit must meet the requirements set forth in 20-13.0042.

(3) In order to be marketed as seedless or low-seeded the fruit must meet the definitions set forth in 20-13.0041.

(4) Standards: All state laws and rules applicable to “Tangerines” shall be applicable to this fruit.

PROPOSED EFFECTIVE DATE August 1, 2022.

Rulemaking Authority 601.10(7), 601.11, 601.9910(3) FS. Law Implemented 601.11, 601.9910(3) FS. History—New

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Elliott Mitchell, General Counsel

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Citrus Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** March 16, 2022

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** March 17, 2022

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:** RULE TITLE:

62-6.001 General

**PURPOSE AND EFFECT:** The Department of Environmental Protection is revising Rule 62-6.001 F.A.C., to comply with requirements of the Clean Waterways Act, Chapter 2020-150, Laws of Florida.

**SUMMARY:** Proposed revisions to Rule 62-6.001, F.A.C., incorporate statutory changes that authorize the Department to consider the requirements of onsite sewage treatment and disposal system remediation plans adopted pursuant to s. 403.067(7)(a)9.b, F.S., for permitting onsite sewage treatment and disposal systems.

The 2020 Clean Waterways Act (2020-150, Laws of Florida) transferred the Onsite Sewage Program from the Department of Health (DOH) to the Department of Environmental Protection (Department). Pursuant to Section 381.0065(4)(e), F.S., the act requires the Department to “adopt rules relating to the location of onsite sewage treatment and disposal systems . . . .” The rules must “. . . consider . . . onsite sewage treatment and disposal system remediation plans developed pursuant to s.

403.067(7)(a)9.b, F.S . . . .” This amendment incorporates the requirements of basin management action plans to upgrade existing onsite sewage treatment and disposal systems and provide better treatment for new systems in the areas covered by the plans.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The Agency has determined that the proposed rule is expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The estimated regulatory cost is \$57 million over a period of five years. The proposed rule amendment will implement onsite sewage treatment and disposal system remediation plans after they have become effective. Some of these plans are still under development, and exact dates, costs and implementation dates are not known. For estimation purposes the department relied on the existing requirements of onsite sewage treatment and disposal system remediation plans for impaired Outstanding Florida Springs. These require, within so-called priority focus areas of some springs, an upgrade to a nutrient-reducing technologies when the onsite system must be repaired or modified. The estimate assumed only 1,882 systems will be upgraded every year (in springs areas). This is potentially a lower estimate of costs, given that additional areas will require onsite sewage treatment and disposal system remediation plans within the next 5-year period.

Based on currently known data, over five years 9,408 onsite sewage treatment and disposal systems are estimated to be impacted by the proposed rule. The total costs for the first year are estimated to be \$10,655,236. Most of this are one-time costs for permitting and construction of the nutrient reducing systems (\$9,882,400). The estimated 5-year total is more than five times the first-year amount, due to the increasing number of OSTDS that require operation and maintenance. The estimate for the total regulatory cost is \$56,838,918 for five years following ratification.

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.

**RULEMAKING AUTHORITY:** 381.0065(3)(a), (4)(e), 489.553(3), 489.557(1) F.S.

**LAW IMPLEMENTED:** 381.0065, 381.0067, 386.041, 489.553 F.S.

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

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 5 days before the workshop/meeting by contacting: Eberhard Roeder, Division of Water Resource Management, MS 3596, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8402 or by email at Eb.Roeder@FloridaDEP.gov. 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 RULE IS: Eberhard Roeder

THE FULL TEXT OF THE PROPOSED RULE IS:

**62-6.001 General.**

(1) through (3) No change.

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

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

(b) The applicant shall have all system tanks pumped by a permitted septage disposal service. A registered septic tank contractor, state-licensed plumber, person certified under Section 381.0101, F.S., or master septic tank contractor shall determine the tank volume and shall perform a visual inspection of the tank when the tank is empty to detect any observable defects or leaks in the tank. The tank volume shall be obtained from the tank legend or shall be calculated from measured internal tank dimensions for length, width and depth to the

liquid level line or from the measured outside dimensions for length and width minus the wall thickness and depth to the liquid level line. For odd shaped tanks and tanks without a legend, metered water flows from the refilling of the tank may be used in lieu of measured inside or outside tank dimensions. The person performing the inspection shall submit the results to the Department as part of the application in accordance with rule 62-6.004, F.A.C. using of Form DEP 4015.

(c) through (i) No change.

(5) through (6) No change.

(7) Where the Department has adopted a basin management action plan for nutrient total maximum daily loads that includes an onsite sewage treatment and disposal system remediation plan, pursuant to applicable Florida law, the following requirements apply:

(a) Onsite sewage treatment and disposal system permits must incorporate the applicable remediation plan requirements or the requirements of this chapter, whichever are more stringent. The remediation plan requirements of the onsite sewage treatment and disposal system and requirements of this chapter, whichever are more stringent, are projected to not cause or contribute to the exceedance of the nutrient total maximum daily load established as of the date of the permit application.

(b) The permit application must identify the lot as being subject to a basin management action plan, onsite sewage treatment and disposal system remediation plan. Unless otherwise specified in the remediation plan, a lot is subject to these requirements when the boundary of a delineated area for an onsite sewage treatment and disposal system remediation plan encompasses or intersects the lot, or if the remediation plan otherwise identifies the lot as subject to its requirements. The permit application must specifically identify additional stringent requirements of an onsite sewage treatment and disposal system remediation plan and how the more stringent requirements will be met.

(c) If the onsite sewage treatment and disposal system remediation plan has provisions that exempt or otherwise allow for relief from total compliance with the remediation plan requirements, the permit applicant must provide documentation affirmatively demonstrating that the thresholds for the exemption or other relief are met.

(8)(7) All materials incorporated herein may be obtained from the Department of Environmental Protection, Onsite Sewage Program at www.floridadep.gov or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Eberhard Roeder  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Shawn Hamilton  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 10, 2022  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: December 20, 2021

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-6.004 Application for System Construction Permit  
62-6.005 Location and Installation  
62-6.009 Alternative Systems  
62-6.010 Septage and Food Establishment Sludge  
62-6.0101 Portable Restrooms and Portable or Stationary  
Holding Tanks  
62-6.012 Standards for the Construction, Operation, and  
Maintenance of Aerobic Treatment Units  
62-6.013 Construction Materials and Standards for Treatment  
Receptacles  
62-6.014 Construction Standards for Drainfield Systems  
62-6.025 Definitions

PURPOSE AND EFFECT: The Department of Environmental Protection is revising Rules 62-6.004, 62-6.005, 62-6.009, 62-6.010, 62-6.0101, 62-6.012, 62-6.013, 62-6.014 and 62-6.025 F.A.C., to comply with requirements of the Clean Waterways Act, Chapter 2020-150, Laws of Florida.

SUMMARY: Proposed revisions to Rules 62-6.004, 62-6.005, 62-6.009, 62-6.010, 62-6.0101, 62-6.012, 62-6.013, 62-6.014 and 62-6.025 F.A.C., incorporate statutory changes, update referenced standards, provide additional options for nutrient-reducing systems and clarify requirements.

The 2020 Clean Waterways Act (2020-150, Laws of Florida) transferred the Onsite Sewage Program from the Department of Health (DOH) to the Department of Environmental Protection (Department). Pursuant to Section 381.0065(4)(e), F.S., the act mandates the Department to “adopt rules relating to the location of onsite sewage treatment and disposal systems . . . .” The Onsite Sewage Program, while at DOH, also had drafted rule revisions to modernize existing regulations, incorporate statutory changes and provide additional options for nutrient-reducing systems. The Clean Waterways Act established a Technical Advisory Committee (TAC), which provided recommendations to the Governor and the Legislature on December 30, 2021.

The Department of Environmental Protection proposes to amend Chapter 62-6, F.A.C., Standards for Onsite Sewage Treatment and Disposal Systems, to comply with the requirements of the Clean Waterways Act, Chapter 2020-150, Laws of Florida, requiring the Department of Environmental Protection to adopt rules to reflect legislative changes and

include the most recent information available for onsite sewage treatment and disposal systems to protect public health and prevent contamination of groundwater and surface water.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this proposed rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the Department’s economic review, neither a SERC nor legislative ratification is required because the adoption of the proposed rule does not increase regulatory costs directly or indirectly to the public.

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.

RULEMAKING AUTHORITY: 381.0065(3)(a), (4)(e), 489.553, 489.557(1), FS

LAW IMPLEMENTED: 381.0065, 381.0067, 386.041, 489.553, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR. (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD)

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 5 days before the workshop/meeting by contacting: Eberhard Roeder, Division of Water Resource Management, MS 3596, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8402 or by email at Eb.Roeder@FloridaDEP.gov.

If you are hearing or speech impaired, please contact the agency by using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Eberhard Roeder, Division of Water Resource Management, MS 3596, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8402 or by email at Eb.Roeder@FloridaDEP.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

**62-6.004 Application for System Construction Permit.**

(1) No person ~~must shall~~ cause or allow construction of a system without first applying for and obtaining a construction permit. Form DEP 4015, effective date x-xx-xxxx, Application for Construction Permit, herein adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>) ~~must shall~~ be used for recording permit application information. Copies of this document are available as provided in subsection (9) below.

(2) No change.

(3) The suitability of a lot, property, subdivision or building for the use of an onsite sewage treatment and disposal system ~~must 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 ~~must shall~~ be performed at the expense of the owner by either an engineer with soils training who is licensed in the State of Florida pursuant to Chapter 471, F.S., by Department personnel, registered septic tank contractors, master septic tank contractors, professional soil scientists certified and registered by the Florida Association of Environmental Soil Scientists, and persons certified under Section 381.0101, F.S. Registered septic tank contractors ~~must shall~~ perform site evaluations for system repairs only. When determining that the necessary site investigations and tests be performed by an engineer licensed in the State of Florida, the Department must consider the criteria listed in subsection 62-6.004(4), F.A.C. Results of site investigations ~~must shall~~ be entered on, or attached to, the construction permit application form for consideration by the Department. Site evaluations ~~must shall~~ occur not earlier than 180 days prior to the date the Department receives the permit application. Site evaluations remain valid for the life of the permit. The application ~~must shall~~ also include the following data:

(a) and (b) No change.

(c) At least two soil profile descriptions within the proposed system soil absorption area to a minimum depth of 6 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, Issued March 2017 ~~October 1993~~, herein adopted and incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Copies of this document are available as provided in subsection (9) below. At a minimum, a soil profile ~~must shall~~ be provided at the beginning and end of the proposed drainfield site. Where the replacement of severely limited soil is proposed,

soil profiles ~~must 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 ~~must shall~~ document the locations of all soil profiles on the site plan.

(d) through (f) No change.

(4) through (5) No change.

(6) Requests for variance ~~must shall~~ be made on Form DEP 4057, effective date x-xx-xxxx, 08/09, Application for Variance from Chapter 62-6.004, F.A.C., herein adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. Copies of this document are available as provided in subsection (9) below.

(7) No change.

(8) Innovative Systems ~~or new product~~ approval for onsite sewage treatment and disposal systems ~~must shall~~ be initiated by submittal to the Department of an application for permit using Form DEP 3143, effective date x-xx-xxxx, Jan-94 Innovative Onsite Sewage Treatment and Disposal System Permit Application, hereby adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. After an innovative system permit has been issued, ~~The Department is authorized to issue individual system construction installation permits that conform to the innovative system permit upon receipt of the temporary permit.~~ Form DEP 3144, effective date x-xx-xxxx, Jan-94 Owner Acknowledgment Form, herein adopted and incorporated by reference and Form DEP 3145, effective date x-xx-xxxx, Jan-94, Innovative Onsite Sewage Treatment and Disposal System Review Form herein ~~hereby~~ adopted and incorporated by reference, at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~must shall~~ be used to record information that describes notification requirements between the ~~temporary~~ permit applicant, and the Department. Copies of these documents are available as provided in subsection (9) below. ~~These forms are to be processed by the Department.~~

(9) No change.

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 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, 11-26-06, 6-25-09, 4-28-10, Formerly 64E-6.004. Amended.

**62-6.005 Location and Installation.**

All systems ~~must shall~~ be located and installed so that with proper maintenance the systems function in a sanitary manner, do not create sanitary nuisances or health hazards and do not endanger the safety of any domestic water supply, groundwater or surface water. Sewage waste and effluent from onsite sewage

treatment and disposal systems ~~must shall~~ not be discharged onto the ground surface or directly or indirectly discharged into ditches, drainage structures, ground waters, surface waters, or aquifers. To prevent such discharge or health hazards:

(1) Systems ~~and septic stabilization facilities~~ established after the effective date of the rule ~~must shall~~ be placed no closer than the minimum distances indicated for the following:

(a) through (f) No change.

(2) Systems ~~must shall~~ not be located under buildings or within 5 feet of building foundations, including pilings for elevated structures, or within 5 feet of mobile home walls, swimming pool walls, or within 5 feet of property lines except where property lines abut utility easements which do not contain underground utilities, or where recorded easements are specifically provided for the installation of systems for service to more than one lot or property owner.

(a) Sidewalks, decks and patios ~~are shall~~ not be subject to the 5 foot setback, however, drainfields ~~must shall~~ not be installed beneath such structures. Any tank located beneath a driveway ~~must shall~~ have traffic lids as specified in paragraph 62-6.013(1)(f), F.A.C., Concrete structures which are intended to be placed over a septic tank ~~must shall~~ have a barrier of soil or plastic material placed between the structure and the tank so as to preclude adhesion of the structure to the tank.

(b) Systems ~~must shall~~ not be located within 10 feet of water storage tanks in contact with the ground or potable water lines unless such lines are sealed with a water proof sealant within a sleeve of similar material pipe to a distance of at least 10 feet from the nearest portion of the system or the water lines themselves consist of schedule 40 PCV or stronger. ~~In no case shall~~ the water line must not be located within 24 inches of the onsite sewage treatment and disposal system. Potable water lines within 5 feet of the drainfield ~~must shall~~ not be located at an elevation lower than the drainfield absorption surface. Non-potable water lines ~~must shall~~ not be located within 24 inches of the system without backflow devices per Section 381.0065(2), F.S., being installed on the water line to preclude contamination of the water system.

(c) Systems ~~must shall~~ be setback a minimum of 15 feet from groundwater interceptor drains.

(3) Except for the provisions of Section 381.0065(4)(g)1. and 2., F.S., systems ~~must and septic stabilization facilities shall~~ not be located laterally within 75 feet of the boundaries of surface water bodies. Systems ~~must and septic stabilization facilities shall~~ be located a minimum of 15 feet from the design high water line of a swale, retention or detention area designed to contain standing or flowing water for less than 72 hours after a rainfall, or the design high water level of normally dry drainage ditches or normally dry individual lot storm water retention areas.

(4) Suitable, unobstructed land ~~must shall~~ be available for the installation and proper functioning of the system. The minimum unobstructed area ~~must shall~~:

(a) Be at least 1.5 times as large as the drainfield absorption area required by rule. For example, if a 200 square feet drainfield is required, the total unobstructed area required, inclusive of the 200 square feet drainfield area, would be 300 square feet. Unobstructed soil area between drain trenches ~~is shall~~ be included in the unobstructed area calculation.

(b) through (c) No change.

(5) Onsite sewage treatment and disposal systems if installed in fill material, the fill ~~must shall~~ be required to settle for a period of at least 6 months, or has been compacted to a density comparable to the surrounding natural soil. The fill material ~~must shall~~ be of a suitable, slightly limited soil material.

(6) To prevent soil smear and excessive soil compaction, drainfields ~~must shall~~ not be installed in soils with textures finer than sand, loamy sand, or sandy loam when the soil moisture content is above the point at which the soil changes from semi-solid to plastic.

(7) Onsite sewage treatment and disposal systems ~~must shall~~ be installed where a sewerage system is not available and when conditions in Sections 381.0065(4)(a)-(g), F.S., are met. Onsite graywater tank and drainfield systems may, at the homeowners' discretion, be utilized provided blackwater is disposed into a sanitary sewerage system when such sewerage system is available. Graywater systems may, at the homeowners' discretion, be utilized in conjunction with an onsite blackwater system where a sewerage system is not available for blackwater disposal.

(a) The ~~lot minimum~~ area of ~~each lot~~ under Section 381.0065(4)(a), F.S., ~~must shall~~ consist of at least 1/2 acre (21,780 square feet) ~~exclusive of all paved areas and prepared road beds within public rights of way or easements and exclusive of surface water bodies. Contiguous area outside of the lot must not be included.~~

(b) The determination of lot densities under Section 381.0065(4)(b), F.S., ~~must shall~~ be made on the basis of the net acreage of the subdivision which ~~must shall~~ exclude from the gross acreage all paved areas and prepared road beds within public or private rights-of-way or easements and ~~must shall~~ also exclude surface water bodies.

(c) Maximum daily sewage flow allowances specified in Sections 381.0065(4)(a), (b) and (g), F.S., ~~must shall~~ be calculated on an individual lot by lot basis ~~based on its net usable area in acres. The net usable area acreage or fraction of an acre of each lot or parcel of land does not include paved areas and prepared road beds within public rights-of-way or easements and does not include surface water bodies shall be determined. Contiguous unpaved and non-compacted road~~

rights-of-way and easements with no subsurface obstructions that would affect the operation of drainfield systems may be included in determining the net usable area. Where an unobstructed easement is contiguous to two or more lots, each lot will receive its pro rata share of the area contained in the easement. and The maximum daily sewage flow allowed equals the net usable area this value shall be multiplied by 2,500 gallons per acre per day if a public drinking water well serving a public system as defined in subparagraph 62-6.002(44)(b)1., 2., or 3., F.A.C., is utilized, or be multiplied by 1,500 gallons per acre per day if a public drinking water well serving a public water system as defined in subparagraph 62-6.002(44)(b)4., F.A.C., or a private potable well or cistern is utilized. Contiguous unpaved and non compacted road rights of way, and easements with no subsurface obstructions that would affect the operation of drainfield systems, shall be included in total lot size calculations. Where an unobstructed easement is contiguous to two or more lots, each lot shall receive its pro rata share of the area contained in the easement. Surface water bodies shall not be included in total lot size calculations. Subsection 62-6.008(1), F.A.C., must ~~Table I, shall~~ be used for determining estimated ~~average~~ daily sewage flows.

(d) Platted residential lots are ~~shall be~~ subject to the requirements set forth in Sections 381.0065(4)(g)1. and 2., F.S.

(e) When portions of a lot or lots which were platted prior to January 1, 1972 are combined in such a manner that will decrease the total density of the subdivision, pre-1972 lot provisions ~~shall~~ apply. However, the maximum setback possible to surface water bodies must ~~shall~~ be maintained with a minimum setback of 50 feet.

(8) Notwithstanding the requirements of this section, where an effluent transmission line consists of schedule 40 PVC, the transmission line must ~~shall~~ be set back from private potable wells, irrigation wells or surface water bodies by not less than 25 feet when installed. Effluent transmission lines constructed of schedule 40 PVC must ~~shall~~ be set back from property lines and building foundations by not less than 2 feet. Schedule 40 PVC effluent transmission lines must ~~shall~~ be set back from potable water lines and storm water lines by no less than 5 feet unless all portions of the potable water line or storm water line within 5 feet of the effluent transmission line are:

(a) through (b) No change.

(9) Onsite sewage treatment and disposal systems for estimated establishment domestic sewage flows exceeding 5,000 gallons per day but not exceeding 10,000 gallons per day must ~~shall~~ be located and installed under the following conditions.

(a) The ~~average~~ estimated daily sewage flow from the establishment will ~~shall~~ be divided by the net usable ~~land~~ area associated with the establishment. The resulting number must ~~shall~~ not exceed 2,500 gallons per acre per day for

establishments which use a water supply as defined in subparagraphs 62-6.002(44)(b)1., 2. and 3, F.A.C.

(b) No more than 5,000 gallons of wastewater will ~~shall~~ be discharged into any single onsite sewage treatment and disposal system serving the establishment.

Rulemaking Authority 381.0065(3)(a), 489.553, 489.557(1) FS. Law Implemented 381.0065, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.46, Amended 3-17-92, 1-3-95, Formerly 10D-6.046, Amended 11-19-97, 2-3-98, 3-22-00, 5-24-04, 6-25-09, Formerly 64E-6.005, Amended.

### **62-6.009 Alternative Systems.**

When approved by the 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 must ~~shall~~ apply to alternative systems. In addition, the Department may, using the criteria in subsection 62-6.004(4), F.A.C., require the submission of plans prepared by an engineer licensed in the State of Florida, prior to considering the use of any alternative system.

(1) Waterless, incinerating or organic waste composting toilets – may be approved for use if found in compliance with standards for Wastewater Recycle/Reuse and Water Conservation Systems as defined by ANSI/NSF International Standard Number 41-2018 “Non-liquid Saturated Treatment Systems” (September 2018), ~~revised May 1983, or NSF International Protocol P157-2019 “Incinerating Toilet Systems-Health and Sanitation” (January 2019)~~ hereby adopted and incorporated by reference, and provided that graywater and any other liquid and solid waste is properly collected and disposed of in accordance with standards established in this chapter. These standards have been deemed copyright protected and are available from the publisher at NSF International, 789 North Dixboro Road Ann Arbor, Michigan 48105, or at publisher’s website at www.nsf.org, and are available for inspection as provided in subsection (11) below. For residences, the required drainfield absorption surface and unobstructed area of the system treating the remaining sewage flow must ~~shall~~ be reduced by 25% when waterless, incinerating or organic waste composting toilets are used exclusively for all toilet wastes. Solids removed from waterless, incinerating or organic waste composting toilets must ~~shall~~ be mixed with lime, containerized, and disposed of with the solid waste from the establishment. Liquids discharging from waterless, incinerating or organic waste composting toilets must ~~shall~~ be plumbed into the onsite system serving the establishment.

(2) through (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 ~~must shall~~ meet all requirements of this chapter except as noted below.

(a) Drip irrigation systems ~~must shall~~ receive effluent from an approved aerobic treatment unit or a performance-based treatment system designed to meet at least secondary treatment standards for CBOD<sub>5</sub> and TSS, and ~~must shall~~ meet the following requirements:

- 1. through 22. No change.
- 23. Drip irrigation systems ~~must shall~~ only use components approved by the Onsite Sewage Program Department.
- 24. through 28. No change.
- (b) No change.
- (6) No change.

(7) In-ground Nitrogen-reducing Biofilters (INRB) – As described in this subsection, are defined as an arrangement of materials installed in layers underneath a drainfield for the purpose of reducing the mean total nitrogen (TN) by acting as a biological filter. INRB Nitrogen-reducing media layers, also referred to as media layers, may be placed beneath the drainfield provided the resulting system meets all requirements of this chapter except as noted in this subsection. All repairs or modifications to existing INRB systems will be required to meet the standards of this subsection. The target removal effectiveness for mean TN is a minimum of 65% for all INRB.

(a) Where a liner is used as part of the INRB design, the INRB must be designed by a professional engineer, and must be installed per paragraph (c) or (d) below. For INRBs using liners, the engineer must inspect the liner and Media Layer 2 of the system prior to the Department’s construction inspection. Final system approval will not be granted until the engineer has supplied the following in a report to the Department: liner and Media Layer 2 inspection report; an as-built cross section with elevations; a dimensioned plan view of the installed INRB system; and a statement indicating that the system has been installed in conformance with permitting requirements. The engineer’s liner and Media Layer 2 inspection report satisfy the Media Layer 2 inspection requirements of paragraph (e) below. Where paragraph (c) or (d) does not modify a standard found in paragraph (b), the standard found in paragraph (b) will apply.

(b)(a) ~~INRB Nitrogen-reducing media layers must shall~~ be installed as follows:

1. The drainfield ~~must shall~~ be installed centered over sand fill material (Media Layer 1) that is at least 18 inches thick and conforms to the textures and colors in subparagraph 10. below. Media Layer 1 must extend beneath the entire drainfield absorption surface and to a point at least one foot beyond the perimeter of any portion of the drainfield absorption surface and shall extend at least one foot beyond the perimeter of the drainfield. The drainfield shall be centered above the sand fill area.

2. ~~Below Media Layer 1 the sand fill material layer required in subparagraph 1., above, there must shall be a layer of nitrogen-reducing media and fine aggregate mix (Media Layer 2) media layer that is at least 12 inches thick and extends beneath the entire drainfield absorption surface and extends at least 24 inches beyond the perimeter of any portion of the drainfield absorption surface and any other effluent release point. The Mmedia Layer 2 must shall also extend upward along the boundary of Media Layer 1 the sand fill material to a point four to six inches below the bottom of the drainfield. Media Layer 1 must The drainfield shall be centered above the Mmedia Layer 2. The Mmedia Layer 2 must shall conform with subparagraphs 8. and 11.; below. The media layer shall not be installed when the observed water table is at or above the lowest depth of the media layer.~~

3. The bottom of the ~~Mmedia Layer 2 must shall~~ be at least 6 inches above the wet-season water table.

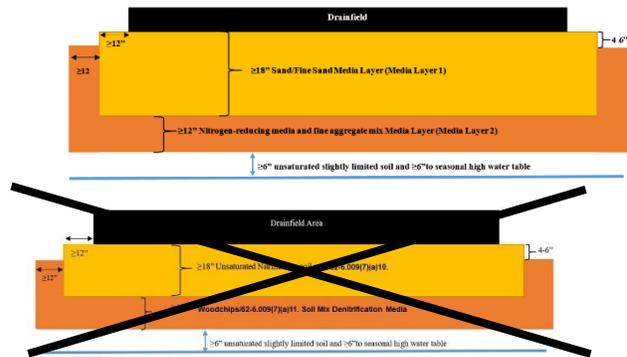


Figure 1. In-ground Nitrogen-reducing Biofilter media layer system

4. ~~While Mmedia~~ longevity and nutrient reduction may be enhanced by the use of low-pressure distribution, ~~Any~~ Department-approved drainfield effluent distribution method may be used.

5. The ~~natural and~~ existing soil profile throughout the area of the drainfield ~~and the area where the INRB will be placed must shall~~ indicate slightly limited soils extending from the existing ground surface to at least ~~36~~ 6 inches below existing ground surface ~~the bottom of the nitrogen-reducing media layer in addition to compliance with the effective soil depth requirements of subsection 62-6.006(1), F.A.C., for the installation of the drainfield.~~

6. Only drainfield materials approved per Rule 62-6.014 or 62-6.009, F.A.C., ~~can shall~~ be used.

7. As measured vertically, no portion of the ~~Mmedia Layer 2 can~~ required in subparagraph 2., above, shall be within 18 inches of the ~~absorption~~ infiltrative surface of the drainfield.

8. An example of nitrogen-reducing media is lignocellulosic material such as chips or shavings of ~~untreated~~ ~~blended urban waste~~ wood mulch, yellow pine sawdust, or 2-inch to 3-inch wood chips. All sources of lignocellulosic material must be untreated by preservatives. Lignocellulosic material must be free of extraneous non-woody materials such as plastic, metal, grass, leaves, and any other debris. The nitrogen-reducing media must shall be demonstrated in Florida-based domestic wastewater studies as innovative systems to be effective at providing a substrate for denitrification.

9. The nitrogen-reducing media must shall comply with the provisions of Rule 62-6.0151, F.A.C.

10. ~~The soil layer between the infiltrative surface of the drainfield and the Mmedia Llayer 1 must shall extend beneath the entire drainfield absorption surface and to a point at least one foot beyond the perimeter of any portion of the drainfield absorption surface and any other effluent release point and shall consist of fine aggregate having a texture of sand or fine sand but excluding:~~

- a. Those having color values less than or equal to 4 with chromas less than or equal to 3; or
- b. Those with colors on the gley charts.

11. ~~The Mmedia Llayer 2 must shall be a combination of nitrogen reducing media and fine aggregate, which shall be composed of 40-60% nitrogen-reducing media by volume, with the remainder to be fine aggregate and must. The media layer shall not be installed when the observed water table at time of construction is at or above the lowest depth of the Mmedia Llayer 2. The fine aggregate to be mixed with the nitrogen-reducing media must shall be one or more of the following textures: sand, fine sand, coarse sandy loam, sandy loam, loamy sand, fine sandy loam, very fine sand, loamy fine sand, and loamy very fine sand; and must shall conform to the colors in subparagraph 10., above. The Mmedia Llayer 2 must shall be thoroughly mixed while the soil is in a non-plastic state, with the constituents uniformly distributed when installed.~~

12. Where the system has a total required drainfield size over 1,500 square feet, the design engineer ~~must shall~~ address the potential for mounding of the effluent between the drainfield and the bottom of ~~the Mmedia Llayer 2~~ at the estimated sewage flow and will increase the separation between the drainfield and ~~Media the Llayer 2 required in subparagraph 2., above,~~ to ensure Media Layer 1 maintains no less than 18 inches of unsaturated soil beneath the drainfield. A four-inch diameter observation port in the center of the drainfield ~~must shall~~ be installed to monitor this parameter. The observation port ~~must shall~~ be capped and lockable and installed within a protective surface cover. A toilet flange ~~must shall~~ be securely attached to the bottom of the observation port to prevent the port from being inadvertently raised from its installed position. The observation port, including the flange, must shall be perforated

at the lowest elevation possible to allow accurate measurements. If installed within three feet of the sidewall of a bed or trench, the port ~~must shall~~ be grouted to prevent effluent from flowing down the outer surface of the port to the media.

13. Drainfield repair ~~will shall~~ not necessitate ~~Mmedia Layer 2~~ replacement provided the media has been in use for less than 10 years or if sampling within the previous 12 months shows denitrification at or above the target level for mean ~~total nitrogen (TN) removal effectiveness efficiency~~ which ~~must shall~~ be a minimum 65%.

14. Setback distances to the Media Layers 1 and 2 denitrification media or soil material directly above denitrification media extending to the absorption infiltrative surface of the drainfield will shall be reduced as follows by the following:

- a. Except for building foundations, vertical obstructions and pilings for elevated structures, where the required setback is  $\leq 5$  feet, the setback ~~must shall~~ be reduced to one foot.

- b. Where the required setback is  $\geq 10$  feet, the setback ~~must shall~~ be reduced by five feet.

- c. Setbacks to all other parts of the system must comply shall be in compliance with the requirements in this chapter and Section 381.0065, F.S.

(c) INRB layers with liner, no underdrain, must be installed in accordance with paragraph (b) above with the following variations:

1. The system drainfield must be low-pressure dosed unless the professional engineer chooses another method to provide nitrification. Lift-dosing may be used provided the design calculations show that the entire distribution network will be charged with each dose.

2. Media Layer 2 must be enclosed beneath, and on the lower 6-8 inches of all sides, by an impermeable liner composed of polyvinyl chloride (PVC), high-density polyethylene (HDPE), ethylene propylene diene methylene (EPDM) or other material having a thickness of at least 30 mils and being certified by the manufacturer for a minimum lifetime of 30 years buried in contact with sewage. If a manufacturer will not certify the liner for a minimum of 30 years, the engineer of record must choose a liner based on the manufacturer's product information regarding resistance to physical and chemical substances to which it will be subject over the thirty-year period. EPA-approved landfill liners may be considered by the engineer of record.

3. No portion of the liner or Media Layer 2 can be within 18 inches of the absorption surface of the drainfield.

4. The lowest point of the liner or Media Layer 2 must be no less than 6 inches above the wet-season water table. There must be at least 6 inches of unsaturated slightly limited soil between the bottom of the liner and the wet-season water table.

5. Media Layers 1 and 2 must extend beneath the entire drainfield absorption surface to a point at least 3.5 feet beyond the perimeter of any portion of the drainfield absorption surface. For repairs, the 3.5 feet dimension may be reduced incrementally to not less than 1.0 feet if necessary, to comply with a setback or if physical room is unavailable. Maintaining the 3.5 feet dimension will have a protection factor of 5 in determining the relative priority of competing factors in the application of Rule 62-6.015 F.A.C., Table V. No part of the liner can be placed within 12 inches of the pump or treatment tank.

6. Media Layer 1 must comply with subparagraph (b)10. above.

7. Media Layer 2 must comply with subparagraph (b)11. above, be at least 12 inches thick, and extend beneath the entire area below Media Layer 1.

8. The Department will not require sampling. Sampling may be required by the professional engineer, municipality or other state agency as necessary to comply with applicable regulatory requirements.

9. Where the system has a total required drainfield size over 1500 square feet, the design engineer must address the potential for mounding of the effluent between the drainfield and the liner at the estimated sewage flow and will increase the separation between the drainfield and Media Layer 2 to ensure Media Layer 1 maintains no less than 18 inches of unsaturated soil beneath the drainfield. A four-inch diameter observation port must be installed in the center of the liner to allow the liquid level of effluent contained within the bottom of the media liner to be monitored. The observation port must be capped and lockable and installed within a protective surface cover. A toilet flange must be securely attached to the bottom of the observation port to prevent the port from being inadvertently raised from its installed position. The observation port, including the flange, must be perforated at the lowest elevation possible to allow accurate measurements. If installed within three feet of the sidewall of a bed or trench, the port must be grouted to prevent effluent from flowing down the outer surface of the port to the media.

10. The perimeter of the liner, in linear feet, multiplied by the perimeter loading rate must not be less than the estimated daily sewage flow for the system. The most restrictive soil texture between the elevation of the bottom of the drainfield and the elevation six inches below the bottom of the liner throughout the area of the installation and 24 inches beyond the perimeter of the liner will be used to determine the media layer perimeter loading rate.

Perimeter Loading Rate

<u>Soil Texture</u>	<u>gallons/ linear feet/day</u>
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<u>Coarse sand; sand; and loamy coarse sand</u>	<u>5</u>
<u>Fine sand</u>	<u>4</u>
<u>Loamy sand; coarse sandy loam; and sandy loam</u>	<u>3</u>

11. The professional engineer may specify methods to replenish media and remove spent media if the continued presence of such spent media reduces the efficacy of the process and the methods do not compromise the efficacy of the system.

12. Any seams or penetrations through the liner must be sealed in accordance with the liner manufacturer’s instructions to prevent leakage for the life of the liner.

13. Setback distances to the liner, or to Media Layers 1 and 2 extending to the absorption surface of the drainfield will be reduced as follows:

- a. Except for building foundations, vertical obstructions and pilings for elevated structures, where the required setback is  $\leq 5$  feet, the setback will be reduced to one foot.
- b. Where the required setback is  $\geq 10$  feet, the setback will be reduced by five feet.
- c. Setbacks to all other parts of the system will comply with the requirements in this Chapter and section 381.0065, FS.

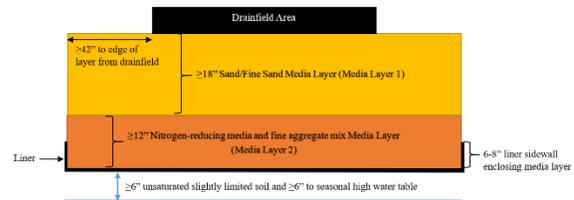


Figure 2. INRB with Liner without underdrain

(d) INRB layers with liner and underdrain, must be installed in accordance with paragraphs (a) and (b) above with the following variations:

- 1. The system drainfield must be low-pressure dosed unless the professional engineer chooses another method to provide nitrification. Lift-dosing may be used provided the design calculations show that the entire distribution network will be charged with each dose.
- 2. The drainfield must be installed and centered over Media Layer 1 which conforms to the textures and colors in subparagraph (b)10. Media Layer 1 must extend at least 18 inches past the perimeter of the drainfield.
- 3. Below Media Layer 1, Media Layer 2 must be installed and must extend at least 18 inches past the perimeter of the drainfield. Media Layer 2 must conform with subparagraphs (b)8., 9. and 11., above.
- 4. An impermeable liner meeting the construction standards of subparagraphs (c)2. – 4., (c)9., and (c)12. - 13.,

above, must be installed below Media Layer 2. The liner's interior surface must extend to a point at least 18 inches past the perimeter of the drainfield, at which point the liner must be directed upwards toward the ground surface maintaining contact with Media Layers 1 and 2, stopping at a point four to six inches below the level of the bottom of the drainfield. No portion of Media Layer 2 can be less than 18 inches below the absorption surface of the drainfield. Media Layer 2 with liner will extend beneath the entire drainfield absorption surface and extend at least 18 inches beyond the perimeter of any portion of the drainfield absorption surface. No part of the liner can be placed within 12 inches of the pump or treatment tank.

5. An underdrain must be installed on top of and in contact with the interior surface of the bottom of the liner within Media Layer 2 and must disperse to a separately sized, located and installed drainfield. The underdrain must be designed to maximize effluent movement through Media Layer 2 into the underdrain. The transmission line from the underdrain to the separate drainfield must be set to maintain saturation to the top of Media Layer 2. For gravity flow, in order to maintain distribution as high as possible above the wet-season water table and to maintain the shallowest depth to finished grade, the transmission line must have a slope between zero and 1/8 inch per foot when distributing the effluent to the separate drainfield.

6. Provided the effluent has passed vertically without pressure through Media Layer 1, the professional engineer may specify the separate drainfield that is separated from the wet-season water table by no less than 6 inches and the separate drainfield may be installed no more than 48 inches below final grade, provided there is slightly limited soils to a depth of 12 inches below the separate drainfield's absorption surface.

7. The minimum thickness of Media Layer 2 must be 12 inches from the top of the liner to the bottom of Media Layer 1. Media Layer 2 thickness, as measured between the top of the underdrain and the top of Media Layer 2, must be 7 inches.

8. Compliance with subparagraph 62-6.009(7)(b)8.- 14., F.A.C., is required.

9. The department will not require sampling. Sampling may be required by the professional engineer, municipality or other state agency as necessary to comply with applicable regulatory requirements.

10. The lowest point of the liner or media layer must be no less than 6 inches above the wet-season water table. There must be at least 6 inches of unsaturated slightly limited soil between the bottom of the liner and the wet-season water table.

11. Where the system has a total required drainfield size over 1500 square feet, the design engineer must address the potential for mounding of the effluent between the drainfield and the liner at the estimated sewage flow and will increase the separation between the drainfield and Media Layer 2 to ensure Media Layer 1 maintains no less than 18 inches of unsaturated

soil beneath the drainfield. A four-inch diameter observation port must be installed in the center of the liner to allow the liquid level of effluent contained within the bottom of the media liner to be monitored. The observation port must be capped and lockable and installed within a protective surface cover. A toilet flange must be securely attached to the bottom of the observation port to prevent the port from being inadvertently raised from its installed position. The observation port, including the flange, must be perforated at the lowest elevation possible to allow accurate measurements. If installed within three feet of the sidewall of a bed or trench, the port must be grouted to prevent effluent from flowing down the outer surface of the port to the media.

12. The professional engineer may specify methods to replenish media and remove spent media if the continued presence of such spent media reduces the efficacy of the process and the methods do not compromise the efficacy of the system.

13. Setback distances to the liner, or Media Layers 1 and 2 extending to the absorption surface of the drainfield will be reduced as follows:

a. Except for building foundations, vertical obstructions, and pilings for elevated structures, where the required setback is  $\leq 5$  feet, the setback will be reduced to one foot.

b. Where the required setback is  $\geq 10$  feet, the setback will be reduced by five feet.

c. Setbacks to all other parts of the system will comply with the requirements in this chapter and section 381.0065, Florida Statutes.

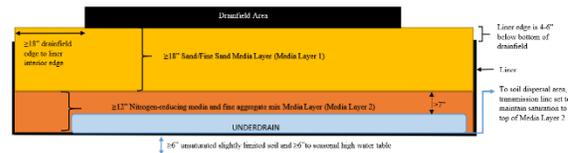


Figure 3 – INRB with liner and underdrain

(e)(b) Prior to covering Media Layer 2, in addition to the inspections required in Rule 62-6.003, F.A.C., upon completion of the installation of the Media Layer 2 but before covering the media layer, a person installing or constructing the system must shall notify the Department that the Media Layer 2 has been installed and must shall have that portion of the system inspected by the Department. If the inspection of the Media Layer 2 is the initial inspection of the system, the initial inspection fee in paragraph 62-6.030(1)(i), F.A.C., must shall be paid. If an initial inspection occurred before the Media Layer 2 inspection, the reinspection fee in paragraph 62-6.030(1)(j), F.A.C., must shall be paid.

(f)(e) Repairs of systems incorporating media layers must shall meet the current standard for nitrogen reduction. The provisions of subsection 62-6.003(3), F.A.C., do shall not apply

to repair of systems that include media layers, nor ~~will shall~~ repairs be allowed per subsection 62-6.015(3), F.A.C.

~~(g)(4)~~ Final installation approval ~~must shall~~ not be granted until the Department has confirmed that the property owner has executed and recorded in the public property records at the county courthouse, a written notice that informs all subsequent property owners of the use of the nitrogen-reducing media onsite system that may require special repair or maintenance procedures. The notice ~~must shall~~ include the Department's construction permit number for the system, and that additional information may be obtained by contacting the Department.

(8) through (10) No change.

(11) All materials incorporated herein may be obtained from the Department of Environmental Protection, Onsite Sewage Program at [www.floridadep.gov](http://www.floridadep.gov) or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400. Reference materials deemed copyright protected are available for inspection at the same address.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 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, 11-26-06, 6-25-09, 7-31-18, Formerly 64E-6.009 Amended \_\_\_\_\_.

#### **62-6.010 Septage and Food Establishment Sludge.**

(1) No septic tank, grease interceptor, privy, or other ~~tan~~ ~~receptacle~~ associated with an onsite sewage treatment and disposal system can shall be cleaned or have its contents removed until the service person has obtained an annual operating written permit (Form DEP 4013, 01/92, Operating Permit, herein incorporated by reference) from the Department in for the county in which the service company is located. Permits issued under this section authorize the disposal service to handle liquid waste associated with food operations, domestic waste, or domestic septage. Such authorization applies to all septage produced in the State of Florida, and food establishment sludge which is collected for disposal from onsite sewage treatment and disposal systems.

(2) Application for a service permit ~~must shall~~ be made to the Department on Form DEP 4012, effective date x-xx-xxxx 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 at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. Any change to the permit conditions requires a permit amendment using form DEP 4012. Permit amendments do not alter the permit issue or expiration date. Copies of this document are available as provided in subsection (10) below. 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 with a liquid capacity of at least 1,500 gallons, 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 Department. Tanks used for the ~~stabilization and~~ storage of septage and food service sludges ~~must shall~~ be constructed, sized, and operated in accordance with the following provisions:

1. ~~Stabilization tanks and S~~septage storage tanks ~~must shall~~ be constructed of concrete, fiberglass, corrosion-resistant steel, polyethylene, or polypropylene or other equally durable material. Tanks ~~must shall~~ be watertight and ~~must shall~~ be water tested during the inspection by the Department for leaks prior to placing into service. Storage tanks installed after the effective date of this rule must meet the setback requirements of Rule 62-6.0101(7)(a), F.A.C. ~~The stabilization tank shall have a liquid capacity of at least 3,000 gallons.~~

2. Construction of concrete tanks ~~must shall~~ be at a minimum equal to that required of concrete septic tanks in Rule 62-6.013, F.A.C. Fiberglass tanks and tanks of similar materials ~~must shall~~ be constructed in accordance with standards found in Rule 62-6.013, F.A.C.

3. ~~Stabilization tanks shall contain aeration or mixing devices which will ensure thorough agitation or mixing of lime with the waste as specified in Chapter 6, EPA 625/1-79-011, Process Design Manual for Septage Treatment and Disposal, herein incorporated by reference.~~

(b) through (c) No change.

(3) through (5) No change

(6) ~~Treated S~~septage and sludges ~~must shall~~ be transported ~~to the disposal site~~ in such a manner ~~so as~~ to preclude leakage, spillage or the creation of a sanitary nuisance.

(7) The food establishment sludge and contents from onsite waste disposal systems ~~must shall~~ be disposed of at a site ~~approved by the Department~~ and by a an approved disposal method approved by the Department. Untreated domestic septage or food establishment sludges ~~must shall~~ not be applied to the land. ~~Criteria for approved stabilization methods and the subsequent land application of domestic septage or other domestic onsite wastewater sludges shall be in accordance with the following criteria for land application and disposal of domestic septage.~~

(a) Land application of domestic septage and sludges ~~is not shall be permitted under this chapter, provided such septage and sludges have been properly treated by an approved septage-stabilization process, including lime stabilization, and an application using Form DEP 4012 has been completed as part of the permitting process. Prior to discharge of septage or food~~

establishment sludge into a stabilization tank, the septage or sludge shall be screened in a pretreatment tank or chamber which contains a final screening method using bar screens having a maximum gap of 1/2 inch or rock screens or other similar mesh material having a maximum 3/4 inch opening. Material retained in the screening process shall be limed, containerized, and disposed of at an approved solid waste disposal facility. Septage or sludge shall pass from the pretreatment tank or chamber to the stabilization tank. Lime stabilization of septage shall be in accordance with processes and designs described in Chapter 6, EPA 625/1-79-011, Process Design Manual for Sludge Treatment and Disposal, hereby incorporated by reference. Facilities approved for septage treatment under this rule shall not receive and treat more than 20,000 gallons of septage or combined septage, grease interceptor, portable restroom or other receptacle waste associated with an onsite sewage treatment and disposal system on any one day and shall not exceed a monthly average of 10,000 gallons of septage or septage and combined domestic waste per day. Stabilization by lime shall raise the pH of the septage to a level of 12 for a minimum of two hours or to a level of at least 12.5 for a minimum of 30 minutes to be deemed sufficient. The pH of the stabilized septage shall be maintained at a level of at least 11 until actual land application, but shall not be landspread until the pH of the stabilized septage has fallen below 12.5. To check the pH of the stabilized septage, a sampling port having an internal diameter of no less than 1/2 inch and no more than 3/4 inch and located no more than 60 inches above the ground surface shall be used to allow sampling of waste tank contents. Lime purchase receipts shall be kept at the place of business for a minimum of 6 months.

1. Use on playgrounds, parks, golf courses, lawns, hospital grounds, or other unrestricted public access areas where frequent human contact is likely to occur is prohibited.

2. Application is limited to sod farms, pasture lands, forests, highway shoulders and medians, plant nursery use, land reclamation projects and soils used for growing human food chain crops. Application methods shall be conducted in a manner which will disperse the treated septage uniformly over the land application site.

a. Pasture vegetation on which stabilized septage or sludge has been applied shall not be cut for hay or silage nor grazed for a period of 30 days from the last application.

b. No human food chain crops except hay, silage, or orchard crops shall be harvested from a land application area for a period of 60 days following the last application of septage or sludges.

e. Domestic septage or sludge shall not be used for the growing or cultivation of tobacco, root crops, leafy vegetables, or vegetables to be eaten raw. Vegetables and fruits which come in contact with the ground surface shall not be grown on land

used for septage application for a period of 18 months after the last application of septage or sludge.

d. When applied to unvegetated soils, stabilized domestic septage or sludge shall be incorporated into the soil within 48 hours of application.

(b) No land application of stabilized septage or food service sludge may occur until:

1. The site has been inspected and approved by Department personnel.

2. The site evaluation fee has been submitted.

3. An Agricultural Use Plan, Form DEP 4012A, 08/09, herein incorporated by reference, has been completed for the proposed application site.

a. Agricultural use plans shall describe the manner in which treated domestic septage and sludges are to be used as part of a planned agricultural operation. Methods of application, proposed crops and their fertilizer needs, vegetative types proposed, erosion management, access control for humans and animals, and anticipated harvesting periods shall be included.

b. Agricultural use plans shall include information on the soil and geologic conditions at the disposal site which could limit the areas available for land application.

4. The plan has been submitted for review and approval to the Department having jurisdiction.

5. The Department has granted approval to use the site.

(e) No person shall dispose of domestic septage or sludge by land application unless they have complied with approved treatment and disposal methods described in Rule 62-6.010, F.A.C. Lime stabilization in the tank of a septage hauling vehicle or in the tank of an onsite sewage treatment and disposal system is not an approved septage treatment method.

(d) Land application of septage shall occur only in accordance with paragraph 62-6.010(7)(a), F.A.C., unless prohibited by the Department due to a brief condition which creates a potential for a sanitary nuisance as exemplified in paragraph 62-6.010(7)(l), F.A.C.

(b)(e) All septage and food establishment sludge haulers regulated by Chapter 62-6, F.A.C., are to maintain a collection and hauling log at the treatment site or at the main business location which provides the information listed below. Records must shall be retained for five (5) years.

1. through 4. No Change.

5. Receipts for lime or other materials used for treatment,

6. 5. Location of the approved treatment facility,

7. 6. Date and time of discharge to the treatment facility; and,

8. 7. Acknowledgement from treatment facility of receipt of septage or waste.

(f) All Department regulated septage treatment facility operators shall maintain permanent records of the septage or waste receipt, treatment and discharge. Records shall be

retained for five (5) years. At a minimum, these records shall include the following:

1. Date and time of each load of septage or waste is received;
2. Name of company from which the septage or waste is received;
3. Identification of the truck from which the septage or waste was received;
4. Signature from the driver acknowledging delivery of the septage or waste;
5. Quantity of septage or waste received;
6. Date and time of discharge of each load of treated septage or waste;
7. Name of the company which received the treated septage or waste from the treatment facility;
8. Signature from the driver of the truck which received the treated septage or waste; and;
9. Quantity of treated septage or waste discharged to the truck.

(g) A summary of the total volume of septage applied to each site shall be submitted to the Department quarterly.

(h) Domestic wastewater systems residuals shall not be mixed with septage for treatment and disposal at Department approved sites.

(c)(i) Septage which contains toxic or hazardous waste must be disposed of in accordance with the rules of the Department.

(j) The land application area shall not be located closer than 3000 feet to any Class I water body or Outstanding Florida Water as defined in Chapter 62-302, F.A.C., or 200 feet to any surface water bodies except canals or bodies of water used for irrigation purposes which are located completely within and not discharging from the site. The land application area shall not be located closer than 500 feet to any shallow public water supply wells, nor closer than 300 feet to any private drinking water supply well. The application area shall be no closer than 300 feet to any habitable building and a minimum of 75 feet from property lines and drainage ditches.

(k) The land application site shall have a minimum 24 inches of unsaturated soil above the ground water table at the time of septage or sludge application. The seasonal high ground water table for the site may be indicated in the Agricultural Use Plan by soil survey maps. If the wet season high ground water table is within 2 feet of the surface or is not determined in the Agricultural Use Plan, the water table encountered at the time of septage or sludge application shall be determined by use of a monitoring well.

(l) Septage or sludge shall not be applied during rain events of sufficient magnitude to cause runoff, or during periods in which surface soils of the land application area are saturated. The land application area shall have sufficient buffer areas or

stormwater management structures to retain the runoff from a ten year one hour storm on the site. Sufficient septage storage capacity shall be provided for periods of inclement weather and equipment failure. Facilities shall be designed, located, and operated to prevent nuisance conditions and avoid site run-off.

(m) Land application area topographic grades shall not exceed 8 percent.

(n) The land application area and an area 200 feet wide adjacent to, and exterior of, the land application area boundary shall contain no subsurface fractures, solution cavities, sink holes, excavation core holes, abandoned holes, or any other natural or manmade conduits which allow contamination of ground water. Determinations of site conditions shall be made as part of a geophysical examination of the property by qualified persons.

(o) Florida water quality criteria for groundwater and surface water shall not be violated as a result of land application of septage or sludge. Water quality testing of application areas may be required if the Department determines that septage application not conforming to this rule is evident. If water quality violations are indicated, the site owner shall suspend land application activities.

(p) A layer of permeable soil at least 2 feet thick shall cover the surface of the land application area.

(q) Unless required by law to be limited by phosphorous, application rates of septage and food establishment sludges are limited by the nitrogen content of the waste.

1. Where the application rate is limited by nitrogen content, the maximum annual surface application rate of total nitrogen is 500 pounds per acre during any 12 month period. Application of septage shall be applied as evenly as possible during the 12 month period to ensure maximum uptake of nitrogen by the crops used. This equates to 6 dry tons or 40,000 gallons of typical septage per acre per year. However, if the following formula, based on the annual uptake of nitrogen for a given crop is used, the 40,000 gallons of septage applied per acre per year shall be increased if the nitrogen content of the septage will not exceed the nitrogen uptake of the crop.

$$AAR = N \div 0.0026$$

AAR is the annual application rate in gallons per acre per 365 day period; and N equals the amount of nitrogen in pounds per acre per 365 day period needed by the crop or vegetation grown on the land. Application methods shall be conducted in a manner which will disperse the treated septage uniformly over the land application site.

2. Where the application rate is limited by phosphorous, the maximum annual surface application rate of total phosphorous is 40 pounds per acre during any 12 month period. Application of septage shall be applied as evenly as possible during the 12 month period to ensure maximum uptake of phosphorous by the crops used. This equates to 2 dry tons or 12,000 gallons of

typical septage per year. However, if the following formula, based on the annual uptake of phosphorous for a given crop is used, the 12,000 gallons of septage applied per acre per year shall be increased if the phosphorous content of the septage will not exceed the phosphorous demand of the crop:

$AAR = P \div 0.0076$  if the crop demand is calculated for  $P_2O_5$ .

$AAR = P \div 0.0033$  if the crop demand is calculated for P.

AAR is the annual application rate in gallons per acre per 365 day period; and P equals the Crop Phosphorous Demand in pounds per acre per 365 day period calculated for the crop or vegetation grown on the land. Application methods shall be conducted in a manner which will disperse the treated septage uniformly over the land application site.

(f) Permanent records of actual application areas and application rates shall be kept. These records shall be maintained by the site owner, lessee, or the land applicator for a period of five years, and shall be available for inspection upon request by the Department. An annual summary of the total septage or sludge applied shall be provided with the annual update to the Agricultural Use Plan. Records shall be kept and shall include:

1. Location of the septage treatment facility from which each load of treated septage is obtained.
2. Date and time the treated septage was obtained from the treatment facility.
3. Dates of septage or sludge land application.
4. Weather conditions when applied.
5. Location of septage or sludge application site.
6. Amounts of septage or sludge applied.
7. Specific area of the site where septage or sludge was applied.
8. pH of stabilized septage or sludge being applied.
9. Soil groundwater table when septage was applied.
10. Vegetational status of application area.

(d)(s) Food establishment sludges may be discharged into permitted domestic wastewater treatment facilities pursuant to the requirements of Chapter 62-600, F.A.C.

(t) Application of food establishment sludge to the land shall be permitted if such food establishment sludge has been properly treated by lime stabilization, or by any other process which produces similar kills of microorganisms and has been approved by the Department.

(u) Mixing of unstabilized food establishment sludge with stabilized septage prior to land application is not permitted.

(v) Food establishment sludge shall be blended with septage and treated prior to land application. The ratio of food establishment sludge to septage shall be no greater than 1:1.

(8) Stabilization tanks and septage and food establishment sludge storage tanks may be located at regional stabilization facilities, at sites owned or leased by the disposal service, service or at sites owned by the owner or lessee of the

septage land application site. Where leased, a copy of the complete lease agreement must be provided as part of the application. The lease must provide for the final disposition of all tanks and designate the party to be held responsible for final disposition of any tank on a leased facility. Whenever locations or tanks are modified, added, or removed, the applicant must amend their service permit application using Form DEP 4012 and provide all current information to the Department prior to any changes being made. All changes must be noted on an amended permit and will not alter the issue date of the permit. All alterations must be inspected by the Department at the time of installation as well as after removal of any tank.

(9) Potable water supplies located at the stabilization tank and septage and food establishment sludge storage tank site must shall be provided with back flow prevention devices to prevent potential contamination of water supplies.

(10) No change.

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 386.041, 373.4595 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, 11-26-06, 6-25-09, 4-28-10, 7-16-13, Formerly 64E-6.010, Amended \_\_\_\_\_.

#### **62-6.0101 Portable Restrooms and Portable or Stationary Holding Tanks.**

(1) No change.

(2) Application for a service permit must shall be made to the Department on Form DEP 4012, effective date x-xx-xxxx, "Application for Septage Disposal Service Permit, Temporary System Service Permit, Septage Treatment and Disposal Facility, Septic Tank Manufacturing Approval-", adopted and incorporated by reference in subsection 62-6.010(2), F.A.C., at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and is available as provided in subsection (8) below. Any change to the permit conditions will require a permit amendment using Form DEP 4012. Adding storage tanks to hold the liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers and portable or stationary holding tanks containing domestic wastewater may be located at sites owned or leased by the service. The tanks must comply with the construction standards found in Rule 62-6.010(2)(a), F.A.C. Where leased, a copy of the complete lease agreement must be provided as part of the application. The lease must provide for the final disposition of all tanks and designate the party to be held responsible for final disposition of any tank on a leased facility. Whenever locations or tanks are modified, added or removed, the applicant must amend their current service permit application using Form DEP 4012 and provide all current information to the department prior to any changes being made. All changes must be noted on an amended permit, which will not alter the issue or expiration date of the permit. All

alterations must be inspected by the department at time of installation, as well as after removal of any tank. 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 Department. Tanks used for the ~~stabilization and storage of portable or stationary holding tank waste and portable restroom waste~~ must shall be constructed, sized, and operated in accordance with the provisions of subparagraphs 62-6.010(2)(a)1. ~~and 2. -3.~~, F.A.C.

(b) through (c) No change.

(3) through (5) No change.

(6) All portable restroom and portable or stationary holding tank waste haulers regulated by Chapter 62-6, F.A.C., are to maintain a collection and hauling log at the main business location which provides the information listed below. Records must shall be retained for five (5) years.

(a) No change.

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

(c) through (d) No change.

(e) Acknowledgement from treatment facility of receipt of ~~septage or waste~~; and,

(f) No change.

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

(a) through (o) No change.

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

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

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

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

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

5. Polyethylene holding tanks must shall meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO)/American National Standards Institute (ANSI) Z1000-2019 Paragraph 7.1 "Blow Molded and Single-Layer Rotationally-Molded Polyethylene Septic Tanks" and 7.2 "Multi-Layer Rotationally-Molded Polyethylene Septic Tanks" PS 1-93, Paragraph 5.4 "Polyethylene," herein adopted and incorporated by reference. This standard has been deemed

copyright protected and is available from the publisher at IAPMO, 4755 East Philadelphia Street, Ontario, California, 91761, or at publisher's website at [www.iapmo.org/](http://www.iapmo.org/), and is available for inspection as provided in subsection (8) below. Where the requirements of IAPMO/American National Standards Institute (ANSI) Z1000-2019, Paragraphs 7.1 and 7.2 PS 1-93 Paragraph 5.4 "Polyethylene" conflict with the standards in this section, the standards in this section must shall apply,

6. through 9. No change.

(q) through (t) No change.

(u) Portable or stationary holding tank, portable restroom, and portable hand sink wastes must 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. These wastes must be disposed of at shall be land applied under provisions of subsection 62-6.010(7), F.A.C., provided a Department 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 62-6.010(7)(a) (u), F.A.C.~~

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

~~(w)(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 Department of Environmental Protection, Onsite Sewage Program at [www.floridadep.gov](http://www.floridadep.gov) or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400. Reference materials deemed copyright protected are available for inspection at the same address.

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 386.041 FS. History—New 5-24-04, Amended 11-26-06, 6-25-09, 4-28-10, Formerly 64E-6.0101, Amended.

#### **62-6.012 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 ~~must shall~~ be installed, operated and maintained in conformance with the following provisions:

(1) Aerobic treatment units designed to treat up to 1500 gallons of sewage waste per day ~~must shall~~ be listed by a third party certifying program approved by the Department. Aerobic treatment units ~~must shall~~ be in compliance with at least one of the following standards: Class I systems as defined by NSF International Standard/American National Standard (NSF/ANSI) 40-~~2020~~2013, “Residential Wastewater Treatment Systems,” (~~November 2020~~) ~~revised April 2013~~; nitrogen reduction as defined by NSF/ANSI 245-~~2020~~2013, “Wastewater Treatment Systems – Nitrogen Reduction,” (~~November 2020~~) ~~revised April 2013~~; or onsite residential and commercial water reuse treatment systems as defined by NSF/ANSI 350-~~2020~~2013, “Onsite Residential and Commercial Water Reuse Treatment Systems;” (~~April 2020~~) ~~revised December 2012~~. These NSF/ANSI standards are hereby ~~adopted and~~ incorporated by reference, have been deemed copyright protected, and are available for inspection ~~as provided in subsection (6) below. at the Department of Environmental Protection, Onsite Sewage Program at www.floridadep.gov or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400 or at the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.~~ An approved third party certifying program ~~must shall~~ comply with the following provisions in order for units which it has certified to be approved for use in Florida:

(a) Be accredited by the American National Standards Institute.

(b) Have established procedures which send representatives to distributors in Florida on a recurring basis to conduct evaluations to assure that distributors of certified aerobic units are providing proper maintenance, have sufficient replacement parts available, and are maintaining service records.

(c) Notify the Department of the results of monitoring visits to manufacturers and distributors annually, within 60 days of the conclusion of the calendar year monitoring. Approved distributors must be reported by the manufacturer to the certifying agency.

(d) Submit completion reports on testing for review by the Department.

(e) Provide a registered certification mark or seal which must be affixed in a conspicuous location on the units it has certified. This mark or seal will alert persons evaluating or maintaining the unit that the unit is in compliance with the NSF/ANSI standard appropriate for the application.

(2) The following additional requirements ~~must shall~~ also apply to the construction, design, and operation of aerobic treatment units treating up to 1,500 gallons per day ~~or less~~:

(a) An appropriate mechanism ~~must shall~~ be provided to make access ports vandal, tamper, and child resistant as specified by the manufacturer and accepted by the certifying program. Acceptable protection of openings shall consist of one or more of the following methods as specified by the tank manufacturer:

- ~~1. A padlock.~~
- ~~2. An “O” ring with twist lock cover requiring special tools for removal.~~
- ~~3. Covers weighing 65 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 tank for fiberglass, metal, or plastic lids.~~

(b) A minimum of a 4-inch diameter sampling access port located between the treatment unit outlet and the drainfield.

(c) A visual and audio warning device ~~must shall~~ be installed in a conspicuous location so that activation of such warning device will alert property occupants of aerobic unit malfunction or failure. The visual and auditory signals must continue to be functional in the event of an electrical, mechanical, or hydraulic malfunction of the system provided power is available to the system and must resume once power is restarted following the power outage. This does not mandate a battery back-up for the alarm system. All warning devices shall be wired separately from the aerobic unit so that disconnecting the aerobic unit from electricity will activate the warning device. If installed outside, the alarm ~~must shall~~ be waterproof.

(d) Each unit ~~must shall~~ be designed or equipped so that regardless of unusual patterns or frequencies of sewage flow into the system effluent discharged to the drainfield will be in compliance with the applicable standards of subsection (1), above.

(e) Minimum required treatment capacities for systems serving any structure, building or group of buildings ~~must shall~~ be based on estimated daily sewage flows as determined from Table IV.

TABLE IV AEROBIC SYSTEMS PLANT SIZING		
RESIDENTIAL:		
Number of Bedrooms	Building Area in square feet	Minimum Required Treatment Capacity Gallons Per Day
1 or 2	Up to 1200	400
3	1201-2250	400
4	2251-3300	500

~~For each additional bedroom or each additional 750 square feet of building area, or fraction thereof, treatment capacity shall be increased by 60 gallons.~~

<u>NON-RESIDENTIAL COMMERCIAL:</u>	
<u>Estimated Sewage Flow in Gallons Per Day</u>	<u>Minimum Required Treatment Capacity in Gallons Per Day</u>
0-400	400
401-500	500
501-600	600
601-700	700
701-750	750
751-800	800
801-1,000	1,000
1,001-1,200	1,200
1,201-1,500	1,500

Footnotes to Table IV

1. Where the number of bedrooms and the corresponding building area in Table IV do not coincide, the criteria which results in the greatest required treatment capacity ~~must shall~~ apply. ~~For each additional bedroom or each additional 750 square feet of building area, or fraction thereof in a dwelling unit, treatment capacity must be increased by 60 gallons. For aerobic treatment units treating sewage from more than one dwelling unit or from residential establishments sized as other per occupant or those exceeding 2 occupants per bedroom, the minimum required treatment capacity must be 100 gallons greater than the combined estimated sewage flow from Table I.~~

2. These figures assume that the aerobic system will be treating domestic strength sewage with CBODs and suspended solids values typically not exceeding 300 and 200 milligrams per liter, respectively. For wastewaters with higher CBODs, higher suspended solids values, or for facilities that exhibit short-term hydraulic surge conditions, additional treatment or pre-treatment facilities are ~~shall be~~ required when specified by design engineers, plant manufacturers, or by the Department.

(f) There ~~must shall~~ be no bypass capability designed into the system which will allow waste to be discharged to the drainfield without undergoing all the treatment processes necessary to achieve the desired effluent quality. Bypassing, removing, or excluding any component or components of a system after the system has received final installation approval is prohibited.

(g) Effluent from an aerobic treatment unit ~~must shall~~ be disposed of on the owner's property in conformance with other requirements of this chapter ~~except as provided for in paragraph (f), above. Effluent quality which is found to not meet its standards shall be reported to the maintenance entity for correction within 10 working days.~~

(h) Where slightly limited soil textures exist on a site, the required drainfield size may be reduced by 25 percent from the

requirements in subsection 62-6.008(5), or paragraph 62-6.009(3)(d), F.A.C. This must apply to all aerobic treatment units permitted under Rule 62-6.012, F.A.C.

(i) To apply for approval of aerobic treatment unit models, a manufacturer, distributor or seller of aerobic treatment units must shall furnish, to the Department, in Microsoft Word document format, Portable Document Format (PDF) or other electronic format accepted by the Department, a written request for approval, a copy of the completion reports, owner manual, part list, and engineering drawings showing the design and construction details of all models of approved Class I aerobic treatment units to be constructed or installed under the provisions of this rule in Portable Document Format (PDF) or other electronic format accepted by the Department. The documentation submitted must demonstrate for each unit model, the treatment unit tank in which it will be installed, and its installation and operation, complies with all provisions of this chapter. The applicant must respond to requests for additional information about their application for aerobic treatment unit approval from the Onsite Sewage Program within 60 calendar days after receipt of a request for additional information. The Department will forward these reports and drawings to Division and District offices. No aerobic unit ~~will shall~~ receive final installation approval until the unit is found to be in compliance with all provisions of this rule, including compliance with design and construction details shown on the engineering plans filed with the Departments.

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

(k) A manufacturer distributor of a specific manufacturer's brand or model of an approved aerobic treatment unit must shall provide to the Department written assurance that spare mechanical and structural parts, as well as the mechanisms used to make the access ports vandal, tamper, and child resistant, are available, upon request, for purchase, to all other approved maintenance entities.

~~(l) Where local building occupancy codes require that the Department approve the means of sewage disposal prior to building occupancy or change of occupancy, and Wwhere an aerobic treatment unit is used utilized, a current, unexpired aerobic treatment unit maintenance contract between the property owner or lessee and an approved maintenance entity must shall be one of the required conditions of system approval.~~

(m) A copy of the signed maintenance agreement between the property owner or property lessee and an approved

maintenance entity ~~must shall~~ be provided to the Department by the maintenance entity. The maintenance agreement ~~must shall~~:

1. Initially be for a period of at least 2 years and subsequent maintenance agreement renewals ~~must shall~~ be for at least 1 year periods for the life of the system.

2. No change.

3. Provide that, if a private maintenance entity discontinues business, property owners who have previously contracted with the discontinued maintenance service ~~must shall~~, within 30 days of the service termination date, contract with an approved maintenance service and provide the Department a copy of the newly signed maintenance agreement.

4. Provide that each aerobic unit is inspected by an approved maintenance entity at least two times each year. Aerobic treatment units serving commercial establishments ~~must shall~~ be inspected four times per year. The maintenance entity ~~must shall~~ furnish to the Department a listing of all aerobic units inspected or serviced during the respective reporting period. As a minimum, reports ~~must shall~~ indicate the system owner or building lessee, the street address of the system, the date of system inspection or service and a statement as to the maintenance or service performed. The maintenance entity ~~must shall~~ also include a list of the owners who have refused to renew their maintenance agreement.

(n) The maintenance entity must furnish to the Department of Health, county health department a report of all aerobic treatment units inspected or serviced during the respective reporting period. As a minimum, reports must indicate the operating permit, system owner or building lessee, the street address of the system, the date of system inspection or service and a statement as to the maintenance or service performed. The maintenance entity must also include a list of the owners who have refused to renew their maintenance agreement.

~~(o)(#)~~The Department ~~must shall~~, at least annually, inspect the maintenance and performance of aerobic treatment units. The Department ~~must shall~~ also inspect each authorized maintenance entity, including review of their service records and maintenance agreements.

(3) An aerobic treatment unit used for treating domestic or commercial sewage flows in excess of 1,500 gallons per day, or a combination of aerobic treatment units treating flows according to paragraph 62-6.004(4)(a) or (b), F.A.C., ~~must shall~~ be designed and certified by an engineer licensed in the State of Florida. The design ~~must shall~~ include an assessment of wastewater strength. The certification ~~must shall~~ state that the unit is capable of consistently meeting, at minimum, secondary treatment standards for CBOD<sub>5</sub> and TSS established in paragraph 62-6.025(11)(d)(12)(a), F.A.C., Table IXb. In addition, the following requirements ~~must shall~~ also be met:

(a) The owner or lessee of a system ~~must shall~~ comply with the applicable safety, maintenance and operational

requirements of subsection (2), above. Unless the system owner or lessee is a state licensed wastewater treatment plant operator, the owner or lessee ~~is shall~~ be required to have a system maintenance agreement with a permitted aerobic unit maintenance entity which has at least a Class D state certified operator who has been certified under the provisions of Chapter 62-602, F.A.C.

(b) A permitted aerobic unit maintenance entity ~~must shall~~ collect effluent quality samples and submit the sample analysis reports to the Department. Effluent quality samples for CBOD<sub>5</sub> and suspended solids ~~must shall~~ be collected at least semi-annually and such samples ~~must shall~~ be analyzed by a Department-approved laboratory.

(c) Written sample analysis reports ~~must shall~~ be submitted to the Department by no later than the 15th of the next month following the semi-annual sampling period. However, if the sample analysis for CBOD<sub>5</sub> or suspended solids exceeds secondary treatment standards by more than 100 percent, the maintenance entity or certified operator ~~must shall~~ notify the Department by telephone or in person within 24 hours after receipt of sample analysis results.

(d) The Department ~~must shall~~ monitor the maintenance and performance of aerobic treatments units as required by paragraph (m), above.

(4) No aerobic treatment unit ~~must 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 DEP 4013, effective x-xx-xxxx, Operating Permit, adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, from the Department in the county where the service company is located. Each service entity ~~must 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 DEP 4066, effective x-xx-xxxx 02/40, herein adopted and incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~must shall~~ be made to the Department. Copies of these documents are available as provided in subsection (6), below. The application must and shall contain the following information:

(a) Evidence that the maintenance entity possesses a manufacturer's maintenance and operations manual and has received training from the manufacturer in proper installation and service of the unit and has received written approval from the manufacturer to perform service on their units. The manual ~~must shall~~ contain detailed instructions on proper operation and

maintenance procedures, a replacement parts list for all models being installed and maintained, a statement giving the capabilities of each unit, instructions on how to detect a malfunctioning unit and what to expect from a properly functioning unit.

(b) through (c) No change.

(5) Emergency service necessary to prevent or eliminate an imminent sanitary nuisance condition caused by failure of a mechanical component of any aerobic treatment unit ~~must shall~~ be reported by the approved aerobic unit maintenance entity, in writing, to the Department no later than 5 working days after the date of the emergency service.

(6) All materials incorporated herein may be obtained from the Department of Environmental Protection, Onsite Sewage Program at [www.floridadep.gov](http://www.floridadep.gov) or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400. Reference materials deemed copyright protected are available for inspection at the same address.

Rulemaking Authority 381.0065(3)(a), 489.553(3) FS. Law Implemented 381.0065, 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, 5-24-04, 11-26-06, 6-25-09, 4-28-10, 7-31-18, Formerly 64E-6.012 Amended \_\_\_\_\_.

### **62-6.013 Construction Materials and Standards for Tanks Treatment Receptacles.**

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

(a) Onsite ~~sewage tanks 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 62-6.0101(7)(p), F.A.C. Tanks must Treatment receptacles shall be constructed of concrete, fiberglass or polyethylene.

(b) Design and testing of concrete ~~tanks treatment receptacles~~:

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

2. Structural design ~~must shall~~ be verified by actual vacuum load or hydrostatic test in accordance with the Department's policy for Test Requirements for Structural Proofing, February 28, 2022 August 16, 2005, herein adopted and \_\_\_\_\_ incorporated by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Copies of this policy are available as provided in subsection (12) below. The vacuum test ~~must shall~~ be followed by a flow and water-tightness test.

3. ~~Tanks must Treatment receptacles shall~~ be watertight as defined in ASTM C1227-~~2098~~, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2., (2020) herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700 West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at [www.astm.org/](http://www.astm.org/), and is available for inspection as provided in subsection (12) below. ASTM C1227-~~2098~~, paragraph 9.2.2, ~~herein incorporated by reference, must shall~~ be modified to read as follows: Water-tightness testing – Fill the ~~tank receptacle~~ with water to the invert of the outlet and let stand for 24 hours. Refill the ~~tank receptacle~~. The ~~tank 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 ~~tanks receptacles~~ using reinforcement bars for structural strength and having a wall thickness of 5 inches or greater. Design by calculation ~~must shall~~ be completed using the Strength Design Method (~~ultimate strength theory~~) or the Alternate Design Method (~~working stress theory~~) outlined in Chapters 4, 5 and 6 of the American Concrete Institute (ACI) publication ACI 318-~~1999~~, Building Code Requirements for Structural Concrete (~~318-99~~) and Commentary (~~2019318R-99~~), herein adopted and incorporated by reference. This document has been deemed copyright protected and is available from the publisher at American Concrete Institute, 38800 Country Club Drive, Farmington Hills, MI 48331-3439, or at publisher's website at [www.concrete.org/](http://www.concrete.org/), and is available for inspection as provided in subsection (12) below. ~~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~~ For the design strength a strength reduction factor of ~~0.90 will shall~~ be applied per ACI 318-~~1999~~ Chapter 21 paragraph ~~9.3.2.4~~.

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

1. Vacuum testing ~~must shall~~ be conducted in accordance with the Department's policy for Test Requirements for Structural Proofing, February 28, 2022, adopted and incorporated by reference in subparagraph 62-6.013(1)(b)2., F.A.C. Copies of this policy are available as provided in subsection (12), below and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The vacuum test ~~will shall~~ be followed by a water-tightness test.

2. Vacuum testing ~~must 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 ~~must 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. ~~Flow and w~~Water-tightness testing ~~must shall~~ be performed as follows: Fill the ~~tank receptacle~~ with water to the invert of the outlet. The ~~tank receptacle~~ is approved as water tight if the water level is held for one hour.

(d) Testing ~~must shall~~ be ~~performed by or~~ witnessed by ~~conducted in the presence of~~ an engineer licensed in the state of Florida, or by an employee of the Department that has been authorized to perform or witness ~~tank receptacle~~ testing. Test results ~~must shall~~ be certified by the witnessing engineer or Department employee.

(e) ~~Tank Receptacle~~ lids for non-traffic residential installations ~~must 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 1,750 pounds at a 60 inch spacing or a concentrated load of 1,750 pounds located at the center of the lid, whichever provides the greater shear and moment stresses to the lid. The required strength ~~must shall~~ be per ACI 318-~~1999~~, Chapter 5, incorporated by reference in subparagraph 62-6.013(1)(b)4., F.A.C., effective ~~xx-xx-xxxx~~, 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 ~~must shall~~ be provided. Designs sealed by an engineer licensed in the state of Florida ~~will shall~~ be acceptable for design proof of ~~tank receptacle~~ lid designs.

(f) ~~Tanks and tank lids Receptacles and receptacle lids~~ for traffic installations ~~must shall~~ be designed, signed and sealed by an engineer licensed in the state of Florida. Whenever vehicular traffic is anticipated to cross over the ~~tank receptacle~~, traffic lids ~~must shall~~ be installed with manhole covers to finished grade. Traffic ~~tanks receptacles~~ and lids ~~must shall~~ be designed in accordance with ASTM C-890-~~2194~~, Standard Practice for Minimum Structural Design Loading for Monolithic or Sectional Precast Concrete Water and Wastewater Structures (2021), herein ~~adopted and~~ incorporated by reference, for the appropriate loading. ~~This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700 West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org, and is available for inspection as provided in subsection (12) below.~~ Application of paragraph 5.2.4 of ASTM C-890-~~2194~~ (~~Reapproved 1999~~), ~~will shall~~ be at the discretion of the design engineer.

(2) Onsite ~~sewage tank wastewater treatment receptacle~~ design requirements. The following details ~~must shall~~ be incorporated into the design:

(a) Septic tanks and graywater tanks ~~must shall~~ have multiple compartments, or single compartment tanks ~~must shall~~ be placed in series to achieve the required effective capacity. Grease interceptors, laundry tanks, pump tanks ~~and~~, aerobic treatment unit tanks ~~must and retention tanks shall~~ be either multi-compartment or single compartment tanks. All ~~tank receptacle~~ stiffening members such as ribs ~~must shall~~ be a homogeneous integral part of the structure. When slide-in type compartment walls are proposed, the structural testing for such tanks ~~must shall~~ be conducted without the slide-in wall in place. There ~~must shall~~ be a maximum of two horizontal seams between the topside of the bottom of the ~~tank receptacle~~ and the underside of the lid. There ~~must 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 ~~must 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 ~~must 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 ~~must shall~~ equal or exceed the total required effective capacity. Systems with daily flows in excess of 3,500 gallons per day may utilize two tanks to achieve the total required effective capacity, provided that the first tank ~~provides shall provide~~ no less than 1/2 of the total required effective capacity. The second tank ~~must shall~~ provide no less than 1/5 of the total required effective capacity and the total effective capacities of the two tanks combined ~~must shall~~ be no less than the total required effective capacity.

(b) The liquid depth of compartments for septic tanks and grease interceptors ~~must shall~~ be at least 40 inches. The liquid depth of compartments for graywater tanks, laundry ~~tanks interceptors~~ and pump tanks ~~must shall~~ be at least 30 inches. Liquid depths greater than 84 inches ~~must 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 ~~must 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.

(d) The inlet invert of septic tanks, graywater tanks and laundry tanks ~~must 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, ~~must shall~~ have a minimum diameter of 4 inches and ~~must shall~~ not extend below the liquid surface more than 33 percent of the liquid depth.

(e) In septic tanks, graywater tanks and laundry tanks, a minimum 4 inch diameter vented outlet tee, sweep or baffle ~~must 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 ~~must 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 ~~must 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 ~~must shall~~ be located at opposite ends of the ~~tank receptacle~~ so as to be separated by the maximum distance practical and ~~must shall~~ be in accordance with ASTM C-923/C-923M-20-98, Standard Specification for Resilient Connectors Between Reinforced Concrete Manhole Structures, Pipes, and Laterals (2020), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700 West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below. ~~The head pressure noted in paragraph 7.1.1 of ASTM C 923/C923M 20 98, shall be reduced from 23 feet to 10 feet.~~ Inlets and outlets on the sides of any ~~tank treatment receptacle~~ must be located no more than 12 inches from the end of the ~~tank receptacle~~.

(g) Compartment walls ~~must shall~~ be designed to withstand the stresses induced by pumping out either of the compartments. There ~~must 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 ~~tank receptacle~~ or compartment wall.

(h) Sewage flow between the first and second chamber of a multi-chamber ~~tank receptacle~~ ~~must 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 in series ~~must shall~~ interconnect utilizing a minimum 4 inch diameter vented, inverted U-fitting or a tee. For septic, graywater and laundry tanks, the outlet device or slot must shall extend below the liquid level of the ~~tank receptacle~~ so that the invert level is located not less than 30 percent nor greater than 40 percent of the liquid depth.

(i) Joints of ~~tanks receptacles~~, including mid-seams, risers, and lids ~~must shall~~ be sealed using a bonding compound that meets ASTM C-990-09R1996, Standard Specification for Joints

for Concrete Pipe, Manholes, and Precast Box Sections using Preformed Flexible Joint Sealants (2019), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700 West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below.

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

(k) Each compartment ~~must shall~~ have access using manholes, with each manhole having a minimum area of 225 square inches. Manholes ~~must shall~~ be located so as to allow access to the inlet and outlet devices. A minimum 6-inch diameter opening ~~must shall~~ be placed at the inlet and outlet ends of the lid if a minimum 225 square inch access port is placed in the middle of the lid. The access manhole over the inlet and outlet ~~must shall~~ extend to within 8 inches of finished grade. If a riser is used, and if the riser access lid opens directly to the receptacle interior, joints around the riser and receptacle ~~must shall~~ be sealed and made watertight as specified in paragraph 62-6.013(2)(i), F.A.C., to prohibit intrusion of ground water into the ~~tank receptacle~~. For multi-compartment ~~tanks receptacles~~ or ~~tanks receptacles~~ in series, manholes ~~must shall~~ extend to within 8 inches of finished grade over the first compartment inlet and the last compartment outlet. An appropriate mechanism ~~must shall~~ be provided to make access manholes vandal, tamper, and child resistant. Acceptable protection of openings ~~must shall~~ consist of one or more of the following methods as specified by the manufacturer:

1. through 3. No change.

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 ~~tank receptacle~~ for fiberglass, metal or plastic lids.

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

(m) ~~Tanks Treatment receptacles~~ ~~must shall~~ have a one-piece lid or a lid with a maximum of three sections. All lids ~~must shall~~ be designed by Licensed Engineers in accordance with paragraphs 62-6.013(1)(e) and (f), F.A.C., and approved by the Department.

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

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

1. through 4. No change.

5. Production materials. For concrete ~~tanks receptacles~~ include 28 day compressive strength, in pounds per square inch (psi).

6. Reinforcing materials. For concrete ~~tanks receptacles~~, 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 ~~tanks receptacles~~ – see subsection 62-6.013(5), F.A.C.

(c) For fiberglass and polyethylene ~~tanks receptacles~~ – see subsection 62-6.013(6), F.A.C.

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

(e) Designs ~~must shall~~ be submitted to the Department, Onsite Sewage Program.

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

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

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

(g) A series of ~~tanks receptacles~~ may be approved by successful demonstration of the largest in a series of ~~tanks~~

~~receptacles~~. Approval for inclusion of the ~~tanks receptacles~~ to be considered in a series must be obtained from the Department prior to testing the ~~tanks 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 ~~tank treatment receptacle~~.

(h) The manufacturer ~~must shall~~ notify the Department in writing, stipulating the date, time and location of the test, no less than ten working days prior to the ~~tank receptacle~~-proof testing. The notice ~~must shall~~ include the ~~tanks receptacles~~ to be tested. Approval ~~must 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 DEP 4012, “Application for Septage Disposal Service Permit, Temporary System Service Permit, ~~Septage Treatment and Disposal Facility~~, Septic Tank Manufacturing Approval,” ~~adopted and incorporated by reference in subsection 62-6.010(2), F.A.C., and available as provided in subsection (12) below, must shall~~ be used to apply for manufacturing approval. The form can be obtained from the Department.

(4) Onsite ~~sewage tank wastewater treatment~~ manufacturer’s yearly inspection – Yearly inspection of the manufacturer’s facility ~~must shall~~ consist of the following:

(a) through (b) No change.

(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 ~~must 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 ~~must shall~~ submit a minimum of three cylinders per year. The specimens ~~must shall~~ be taken from a production mix.

(d) through (g) No change.

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

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

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

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

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

(i) Where cold-joint lines that appear to extend through the wall, or cracks in any surface of the ~~tank receptacle~~ exist, conduct a watertightness test on a maximum of two ~~tanks receptacles~~ as follows: Fill the tank with water to the invert of the outlet. The tank is approved as watertight if the water level is held for one hour. ~~per ASTM C1227-98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2.~~ For concrete tanks, if the test fails within the first 24 hours after filling, it may be repeated after 24 hours. ~~The tanks must receptacles 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 ~~tank receptacle~~ surfaces, two ~~tanks receptacles~~ must shall be tested at random. Record all data and submit results to the Department.

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

(k) No change.

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

(5) Concrete ~~tanks must onsite wastewater receptacles shall~~ be built of precast or poured in place concrete in accordance with ACI 318-199, Building Code Requirements for Structural Concrete and Commentary incorporated by reference in subparagraph 62-6.013(1)(b)4., F.A.C., effective xx-xx-xxxx, (1999) or ASTM C-1227-2098, ~~Standard Specification for Precast Concrete Septic Tanks—(1998), incorporated by reference in subparagraph 62-6.013(1)(b)3., F.A.C., effective xx-xx-xxxx, except as revised herein.~~

(a) No change.

(b) Temperature and shrinkage crack control in concrete ~~tanks must receptacles shall~~ be accomplished by use of steel reinforcing in accordance with ACI 318-1999 Chapter 1146, incorporated by reference in subparagraph 62-6.013(1)(b)4., F.A.C., effective xx-xx-xxxx or by use of fiber reinforcement. Minimum ratio of vertical and horizontal reinforcement area to gross concrete area must 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 must 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 must shall be as outlined in the document entitled Reinforcement Required to Meet paragraph 62-6.013(5)(b),

F.A.C., dated ~~February 28, 2022~~ ~~April 15, 2005~~, herein adopted and incorporated by reference. Copies of this document are available as provided in subsection (12), below.

(c) Concrete mixes must shall be in accordance with the Portland Cement Association (PCA) publication entitled PCA Design and Control of Concrete Mixtures, ~~Seventeenth Edition (2021) Thirteenth Edition (1994)~~, herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at the Portland Concrete Association, 5420 Old Orchard Road, Skokie Illinois 60077-1083 or at the publisher's website at www.concrete.org/, and is available for inspection as provided in subsection (12) below.

(d) Terminology relating to concrete and concrete aggregates must shall be in accordance with ASTM C-125-21a98, Standard Terminology Relating to Concrete and Concrete Aggregates (2021+998), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below.

(e) Concrete aggregates used in the manufacturing of all precast or poured-in-place concrete ~~tanks receptacles~~ for use in onsite sewage treatment and disposal systems must shall conform to ASTM C-33-/33M-1899, Standard Specification for Concrete Aggregates (2018+999), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below.

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

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

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

(i) Three compressive test cylinders must shall be prepared, cured, and tested in accordance with ASTM C-31/C31M-21a-98, Standard Practice for Making and Curing Concrete Test Specimens in the Field (2021+998), herein adopted and incorporated by reference, and ASTM C-39/C39M-21-96, Standard Test Method for Compressive Strength of Cylindrical Concrete Specimens (2021+996), herein adopted and incorporated by reference, at least one time every year, or

whenever the manufacturer changes the design mix or the manufacturing process. These standards have been deemed copyright protected and are available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and are available for inspection as provided in subsection (12) below.

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

(k) Approval of new designs ~~must shall~~ not be granted until the following has been completed and submitted as part of the application:

1. No change.
2. Construct three ~~tanks receptacles~~ using the design mix.
3. No change.
4. Structural proof test three ~~tanks receptacles~~ to the design strength in accordance with paragraph 62-6.013(1)(b), F.A.C., for ~~tanks receptacles~~ having an effective capacity of 1,350 gallons or less.
5. Structural proof test one ~~tank receptacle~~ to the design strength in accordance with paragraph 62-6.013(1)(b), F.A.C., for ~~tanks receptacles~~ having an effective capacity greater than 1,350 gallons but not more than 1,500 gallons.
6. Structural proof test one ~~tank receptacle~~ or provide ~~tank receptacle~~ strength calculations in accordance with paragraph 62-6.013(1)(b), F.A.C., for ~~tanks receptacles~~ having an effective capacity exceeding 1,500 gallons.
7. Verify that the manufacturer is not removing ~~tanks receptacles~~ from the producer's facility prior to the ~~tank receptacle~~ achieving 75% of the design compressive strength. Record how this is accomplished.

(6) The following structural requirements are applicable to fiberglass and polyethylene ~~tanks receptacles~~:

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

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

1. Ultimate tensile strength – minimum 12,000 psi when tested in accordance with ASTM D-638-~~1498~~, Standard Test Method for Tensile Properties of Plastics (2014~~998~~), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below.

2. Flexural strength – minimum 19,000 psi when tested in accordance with ASTM D-790-~~1798~~, Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (2017~~998~~), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (12) below.

3. Flexural modulus of elasticity – minimum 800,000 psi when tested in accordance with ASTM D-790-~~1798~~ Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials (~~1998~~), incorporated by reference in subparagraph 62-6.013(6)(b)2., F.A.C., effective xx-xx-xxxx.

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

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

(c) Polyethylene ~~tanks must receptacles shall~~ meet the requirements of International Association of Plumbing and Mechanical Officials (IAPMO)/American National Standards Institute (ANSI) Z1000-2019 Paragraph 7.1 “Blow Molded and Single-Layer Rotationally-Molded Polyethylene Septic Tanks” and 7.2 “Multi-Layer Rotationally-Molded Polyethylene Septic Tanks” (2019) PS-1-93, Paragraph 5.4 “Polyethylene,” herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at IAPMO, 4755 East Philadelphia Street, Ontario, California, 91761, or at publisher's website at www.iapmo.org/, and is available for inspection as provided in subsection (12) below. Where the requirements of IAPMO/American National Standards Institute (ANSI) Z1000-2019, Paragraphs 7.1 and 7.2 PS-1-93 Paragraph 5.4 “Polyethylene” conflict with the standards in this section, the standards in this section ~~must shall~~ apply. A test report from an independent testing laboratory is required to substantiate that individual ~~tank receptacle~~ designs and material formulations meet these requirements.

(d) Approval of new designs ~~must shall~~ not be granted until the following has been completed and submitted as part of the application:

1. through 6. No change.

(7) Grease interceptors are not required for a residence. However, one or more grease interceptors are required where grease waste is produced in quantities that could otherwise cause line stoppage or hinder sewage disposal. The design of grease interceptors ~~must shall~~ be based on standards found in paragraph (a), below. In addition, the following general requirements found in paragraphs (b), (c), and (d), apply when determining the proper use and installation of a grease interceptor used as a component of an onsite sewage treatment and disposal system.

(a) The inlet invert ~~must shall~~ discharge a minimum 2 1/2 inches above the liquid level line and the outlet pipe ~~must shall~~ have a tee with a minimum diameter of 4 inches that extends to within 8 inches of the bottom of the tank.

(b) Interceptors must be located so as to provide easy access for routine inspection, cleaning and maintenance. Manholes ~~must shall~~ be provided over the inlet and outlet of each interceptor and be brought to finished grade.

(c) Where a grease interceptor is required or used, only kitchen wastewater ~~must shall~~ first pass through the interceptor and then be discharged into the first compartment of a septic tank or other approved system.

(d) Sizing of grease interceptors ~~must shall~~ be based on the equations below. The minimum volume of any grease interceptor ~~must shall~~ be 750 gallons and the maximum volume of an individual single grease interceptor chamber ~~must shall~~ be 1,250 gallons. When the required effective capacity of the grease interceptor is greater than 1,250 gallons, installation of multi-chambered grease interceptors or grease interceptors in series is required.

1. through 2. No change.

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

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

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

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

(9) Pump tanks and pumps – when used as part of an onsite sewage treatment and disposal system, the following requirements ~~must shall~~ apply to all pump tanks manufactured

for use in Florida unless specifically exempted by other provisions of these rules:

(a) Pump tanks ~~must shall~~ have a minimum total effective capacity measured from the bottom of the tank to the top of the tank in accordance with Table II. At least 80% of the required total effective capacity ~~must shall~~ be contained below the invert of the inlet. Pump levels ~~must shall~~ be set as low as practical to preserve as much reserve capacity as possible in the event of pump failure.

~~(b) Construction standards for pump tanks shall be the same as for treatment receptacles, except that single compartment tanks are allowed.~~

~~(b)(e)~~ The electrical conduit and effluent dosing pipe ~~must shall~~ exit the dosing chamber:

1. Through the tank outlet using plumbing fittings and reducers to produce a watertight seal,

2. 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 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 then 8 inches below the finished grade, risers ~~must shall~~ be used to provide access within 8 inches of the finished grade. Where risers are used, risers ~~must shall~~ be attached to the tank in accordance with paragraph 62-6.013(2)(i), F.A.C. Any The unused tank outlet ~~must shall~~ be sealed with a length of capped PVC pipe installed in accordance with paragraph 62-6.013(2)(f), F.A.C., or

3. Through a 2 to 4 inch access port installed in the tank lid by the manufacturer as approved by the Department. After installation the port must be sealed with a bonding compound per paragraph 62-6.013(2)(i), F.A.C. Unused ports ~~must shall~~ be sealed watertight with cement or bonding compound or with a length of capped PVC pipe.

~~(c)(d)~~ When a pump is used as part of a system, the following conditions ~~must shall~~ apply.

1. Pumps used to distribute sewage effluent must be certified by the manufacturer to be suitable for such purpose ~~or. The use of a timer as a part of any pump system shall not be allowed unless it is part of a design submitted by an engineer, or master septic tank contractor, and is approved by the Department.~~ Pumps ~~must shall~~ be designed in accordance with the Sump and Sewage Pump Manufacturers Association's Recommended Standards for Sump, Effluent and Sewage Pumps (2019 Revision) May, 1985, Sump, Effluent and Sewage Pump Manufacturers Association standards for the purpose intended, herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at the Sump and Sewage Pump Manufacturers Association, P.O. Box 44071, Indianapolis, Indiana, 46244, or at publisher's website at [www.sspma.org/](http://www.sspma.org/), and is available for inspection as provided in subsection (12)

below. The use of a timer as part of any pump system is not allowed unless it is part of a design submitted by an engineer, or master septic tank contractor, and is approved by the Department.

2. An audio and visual high water alarm must shall be provided in a conspicuous location visible by system users to warn of pump failures. If the alarm is located outdoors, the alarm must shall be waterproof and specified by the manufacturer for outdoor use.

3. A pump must shall be placed in a separate compartment or tank, except when using a pump chamber insert. Except as noted below, any compartment or tank in which a pump is located must shall not be considered when determining total effective capacity of a septic tank.

4. A pump chamber insert may, at the applicant's discretion, be used to house a pump inside a septic tank. If a pump chamber insert is used, it must be approved for use by the Department. Approval must shall be based on the ability of the pump chamber insert to effectively filter solids from the effluent prior to intake by the pump. The efficiency of solids removal by the pump chamber insert must be at least equal to a currently approved outlet filter device. Pump chamber inserts that do not meet these criteria must shall not be approved and must shall not be used. The filter device used as part of the pump chamber insert must shall be considered to meet the requirement of using an outlet filter device for purposes of subsection 62-6.008(2), F.A.C. The tank or compartment used to house the pump chamber insert must shall be included in calculating the minimum effective capacity of the tank, subject to the following conditions:

a. When placed in a compartmentalized tank or tanks in series, the pump chamber insert must shall be placed in the last chamber or tank. When placed in a single compartment tank, the pump chamber insert must shall be placed as close to the outlet side of the tank as possible. In no case must shall the insert be placed farther than 1/2 the distance to the inlet as measured from the outlet of the tank. The pump chamber insert and filter must shall be accessible for routine maintenance. The manufacturer must shall provide instructions on how to maintain the filter unit and the insert device.

b. Pump levels must shall be set so that the high water alarm is activated when the liquid level of the tank will exceed the height of the inlet invert of the tank. The pump-on switch must shall be set to maintain the greatest possible effective capacity of the tank, and in no case must shall it be set higher than 1 inch below the inlet invert. Floats used for operation of the pump must shall be allowed outside the pump chamber insert.

c. The intake openings of the pump chamber insert must shall not be located within 12 inches of the bottom of the tank, or within 12 inches of the liquid level line of the tank.

d. The volume discharged by the pump must shall not exceed 1/4 of the average daily sewage flow in any dose.

e. A pump chamber insert must shall not be used when the total absorption area for the system is greater than 1,000 square feet, or when automatic dosing is required.

f. For new system installations, in addition to the requirements above, the total septic tank capacity must shall include the required minimum septic tank effective capacity, which must shall be contained below the pump-off switch level, plus the pumping tank capacity per Table II, plus the required 15% airspace.

g. For repair installations, in addition to the requirements of subparagraphs a. through e. above, pump chamber inserts must shall not be used in an existing septic tank of less than 750 gallons effective capacity. In addition, the minimum tank liquid depth must shall be 36 inches below the pump-off switch level and the minimum effective capacity contained below the pump-off switch level must shall be within two tank sizes of that required in Rule 62-6.008, F.A.C., Table II. The total septic tank capacity must shall include the minimum effective capacity within two tank sizes of required tank size, plus dosing capacity, plus dosing reserve capacity equal to the dosing capacity, plus freeboard or air space capacity which is equal to 15% of the minimum effective capacity.

(10) Transportation and installation.

(a) Onsite sewage tanks must wastewater receptacles shall not be removed from the manufacturer's facility until the compressive strength of the concrete has reached 75% of the design strength. Use of concrete industry published graphs or tables indicating compressive strength vs. concrete age for the design mix are satisfactory proof of strength.

(b) Tanks must shall be installed level from end to end and side to side. As used in this context, level includes a slope from the inlet end to the outlet end or from side to side of the tank not exceeding one-half inch over the entire length or width of the tank. The tank must shall not be approved with any pitch upward from the inlet end to the outlet end of the tank.

(c) If a pumping device has been placed in the building sewer, an inlet device must shall be used.

(d) Cast in place tanks or tanks manufactured with water stops below the invert of the outlet, and tanks with seams below the invert of the outlet must shall be watertightness tested in accordance with ASTM C-1227-2098, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2.2, after installation in the field. This standard is incorporated by reference in subparagraph 62-6.013(1)(b)3., F.A.C., effective XX-XX-XXXX.

(e) The excavation for the installation of a tank wastewater receptacle must shall be level and free of debris and rocks that could damage the tank receptacle or prevent proper leveling, backfilling or compaction. Backfill material must shall be free

of rocks and debris. The installer ~~must shall~~ refer to the ~~tank receptacle~~ manufacturer's installation instructions to prevent the ~~tank receptacle~~ from settling or floating or from being damaged or distorted.

(11) Repair of ~~tanks receptacles~~ – Repairs ~~are shall be~~ allowed for ~~tanks receptacles~~ prior to shipment per ASTM, ACI, PCA standards and publications and National Precast Concrete Association (NPCA), Septic Tank Manufacturing Best Practices Manual (2010-1998), ~~standards and publications~~ herein adopted and incorporated by reference. This document has been deemed copyright protected and is available from the publisher at the National Precast Concrete Association, 1320 City Centre Drive, Suite 200, Carmel, Indiana 46032, or at publisher's website at www.precast.org/, and is available for inspection as provided in subsection (12) below. Tanks damaged after they leave the manufacturer's facility may be repaired for the following defects:

(a) Chips that do not penetrate more than 1/3 of the wall thickness and cracks that occur above the invert of the outlet. For fiberglass, polyethylene, or polypropylene tanks, holes above the invert of the outlet with a maximum dimension of up to one inch for fiberglass and half an inch for polyethylene or polypropylene, using procedures established by the manufacturer to restore watertightness by a person authorized by the manufacturer.

(b) Damaged or missing inlet and outlet seals may be replaced using the procedure of the document entitled "Repair of Tank Inlet and Outlet Seals", effective xx-xx-xxxx, herein adopted and incorporated by reference. Copies of this document are available as provided in subsection (12), below and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

~~(c)(b)~~ Chips that occur below the invert of the outlet, provided that such chips do not penetrate more than 1/3 of the wall or bottom thickness.

(12) All materials incorporated herein may be obtained from the Department of Environmental Protection, Onsite Sewage Program at [www.floridadep.gov](http://www.floridadep.gov) or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400. Reference materials deemed copyright protected are available for inspection at the same address.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 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, 11-26-06, 6-25-09, 4-28-10, Formerly 64E-6.013, Amended.

#### **62-6.014 Construction Standards for Drainfield Systems.**

(1) Distribution box – where distribution boxes are used for distributing sewage from the septic tank or other onsite sewage

~~tank waste receptacle~~ to the drainfield lines, the following requirements ~~must shall~~ be adhered to:

(a) Distribution boxes ~~must shall~~ be watertight, constructed of durable materials, have adequate structural strength, and be of sufficient size to accommodate the required number of drainfield drain pipe lines.

(b) Each drainfield line ~~must shall~~ be connected individually to the box.

(c) The invert of inlets to the box ~~must shall~~ be at least 1 inch above the invert of the outlets. The invert of all outlets ~~must shall~~ be level with respect to each other.

(d) The distribution box ~~must shall~~ be built as a separate unit from the septic tank and ~~must shall~~ be set level on solid ground or in mineral aggregate.

(2) Header pipe – header pipe, when used, ~~must shall~~ be installed in compliance with the following requirements:

(a) Header pipe ~~must shall~~ meet one or more of the following requirements:

1. ASTM D-3034-~~2198~~, Standard Specification for Type PSM Poly (Vinyl Chloride) (PVC) Sewer Pipe and Fittings (2021-1998), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (6) below.

2. ASTM D-2729-~~2196~~ Standard Specification for Poly (Vinyl Chloride) (PVC) Sewer Pipe and Fittings (2021-1996), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at www.astm.org/, and is available for inspection as provided in subsection (6) below.

3. AASHTO M252M-~~1896~~ Standard Specification for Corrugated Polyethylene Drainage Pipe (2018-1996), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at American Association of State Highway and Transportation Officials, 444 North Capitol Street N.W., Suite 249, Washington D.C. 20001, and is available for inspection as provided in subsection (6) below. ~~Materials used to produce this pipe shall meet ASTM D 3350-98a, Standard Specification for Polyethylene Plastics Pipe and Fittings Materials (1998), Cell Classification 324420C, herein incorporated by reference.~~

4. ASTM F—~~667/667M-16R21405-97~~, Standard Specification for 3 through 24 in. Corrugated Polyethylene (PE) Pipe and Fittings (2021-1997), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken,

~~Pennsylvania 19428-2959, or at publisher's website at [www.astm.org/](http://www.astm.org/), and is available for inspection as provided in subsection (6) below. Materials used to produce this pipe shall meet ASTM D 3350 98a, Standard Specification for Polyethylene Plastics Pipe and Fittings Materials (1998), Cell Classification 324420C or E, herein incorporated by reference.~~

5. ASTM F-810-12R1899, Standard Specification for Smoothwall Polyethylene (PE) Pipe for Use in Drainage and Waste Disposal Absorption Fields (2018~~1999~~), herein adopted and incorporated by reference. This standard has been deemed copyright protected and is available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher's website at [www.astm.org/](http://www.astm.org/), and is available for inspection as provided in subsection (6) below. Materials used to produce this pipe shall meet ASTM D 3350 98a (1998), Standard Specification for Polyethylene Plastics Pipe and Fittings Materials, Cell Classification 32442C or E, herein incorporated by reference.

(b) Corrugated or smooth wall fittings (elbows, tees and crosses) shall be acceptable for gravity flow headers. Header pipe interior must shall be smooth. Header pipe must shall have a minimum inside diameter of 4 inches for gravity flow applications. Header pipe must shall not be perforated.

(c) The header pipe must shall be laid level with direct, connections to each drainfield line and the septic tank outlet pipe. When installed in a drainfield which uses mineral aggregate, the header pipe must shall be encased in mineral aggregate, and must shall be included as part of the drainfield area. Gravity flow header pipes, when installed within the mineral aggregate drainfield, may be non-watertight but must shall be soil tight. Snap connections are acceptable. On non-mineral aggregate systems, header pipe must be supported by soil. All connections must shall be such that all joints or fittings are firmly connected to pipes. When a drainfield system is a pumped system, the header pipe and fittings must shall be smooth-walled and watertight. Where the header pipe is not within the absorption surface area it must shall not be included in drainfield size calculations, but must shall be considered part of the system. The header pipe must shall be designed to distribute effluent as equally as practical to each individual drain\_line and must shall be supported so that the header is laid level.

(d) Pipe which connects the septic tank outlet to the header pipe or a distribution box must shall comply with the strength and material standards for header pipe as specified in this subsection.

(3) Low-Pressure 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 must shall be used. All piping must shall use solvent welded connections or equal throughout to prevent dislocation of connections under pressure. The network must shall be designed for equal distribution of effluent. For the purposes of this section, equal distribution shall means that the flow from the least effective hole in the network must 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 must shall be indicated on a pump curve and must 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 must shall individually connect to a pressure manifold and be sealed on their distal ends and must 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 low-pressure dosing systems must shall be approved by the Department prior to construction or installation.

(a) Where the total drainfield area is greater than 1,000 square feet but not more than 2,000 square feet, the applicant may, in lieu of low-pressure dosing, choose to split the drainfield into two drainfields, equal in size, each having no more than 1,000 square feet, with each drainfield being lift-dosed alternately.

(b) Dosing systems with 2,000 square feet of drainfield or less must shall consist of a pump tank that receives the flow from a septic tank or other onsite sewage tank waste receptacle. Two pumps must shall be required for commercial use where dosing is required due to drainfield size or where gravity flow into the drainfield is not possible, and estimated establishment sewage flows exceed 500 gallons per day. Where more than one pump is used, the pumps must shall dose alternately. Where dosing is required for a commercial system for flows of 500 gallons or less per day, only one pump is shall be required if the drainfield does not exceed 2,000 square feet.

(c) Systems having more than 2,000 square feet of drainfield must shall have a minimum of two dosing pumps, with each pump serving a proportionate amount of the total required absorption area. The pumps must shall dose alternately.

(d) The volume dosed between the pump operating levels must shall be adequate to assure that the entire drain pipe network is filled at least four times each cycle.

(e) When a drainfield is installed in slightly limited soil, operating levels must shall be adjusted to dose the drainfield a maximum of six times in a 24 hour period. For moderately limited soils the drainfield must shall be dosed no more than four times in a 24 hour period. More frequent dosing may be

allowed with systems designed by engineers licensed in the state of Florida.

(f) The distribution network for drainfields having an absorption area less than 1,500 square feet must shall be designed by a Florida licensed professional engineer or a master septic tank contractor. The network for drainfields having an absorption area of 1,500 square feet or larger must shall be designed by a Florida licensed professional engineer.

(g) Drip emitter systems must shall be designed in accordance with subsection 62-6.009(5), F.A.C.

(4) Lift dosing – Where a septic tank or sewage waste receptacle is placed too low to permit gravity flow into a properly designed, constructed and located drainfield, a pump tank with a pump or similar type device must shall be used to lift the effluent to a properly constructed header pipe or distribution box for effluent distribution by gravity to the drainfield. This provision must shall apply only to drainfields of 1,000 square feet or less of total absorption area. Tank size and pumps with effluent level controls and alarms must shall be set in accordance with the requirements set forth in subsection 62-6.013(9), F.A.C.

(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 tanks waste receptacles. When used, these systems must shall be constructed as specified below.

(a) When utilizing the standard drain trench method, the width of the trench at the bottom must shall not exceed 36 inches. For trenches of 12 inches or less, there must shall be a minimum separation distance of 12 inches between the sidewalls of adjacent trenches; trenches greater than 12 inches require a minimum 24 inch separation between the sidewalls of adjacent trenches.

(b) The trench method must shall be the preferred method. Absorption beds may be used in lieu of the standard drain trench method. An absorption bed consists of an area in which the entire earth content of the required absorption area is removed and replaced with aggregate and distribution pipe or other approved alternative drainfield components. The distance between the centers of distribution lines in standard beds must shall be a maximum of 36 inches. The distance between the sidewall of the bed and the center of the outside drain line must shall be no more than 18 inches, but must shall not be less than six inches. Where header pipe is used in lieu of a distribution box, the header must shall extend to within 18 inches of the bed sidewalls. In no case must shall the bottom surface of an absorption bed exceed a total of 1,500 square feet. Where two or more beds are used to obtain the necessary absorption area, there must shall be a minimum 10 foot separation between the sidewalls of adjacent absorption beds. Absorption beds must

shall be designed to achieve the maximum length to width ratio practical.

(c) When installing a drainfield system that uses mineral aggregate, all portions of the header pipe and perforated drain pipe must shall be installed in aggregate conforming to ASTM C33/C33M-18, Standard Specification for Concrete Aggregates (2018)-86 or lightweight aggregate conforming to ASTM C330/C330M-17a-87 Standard Specification for Lightweight Aggregates for Structural Concrete (2017), herein adopted and incorporated by reference. These standards have been deemed copyright protected and are available from the publisher at ASTM International, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959, or at publisher’s website at www.astm.org/, and are available for inspection as provided in subsection (6) below. Aggregate must meet meeting State of Florida Department of Transportation (FDOT) specifications under Section 901, “Standard Specifications for Road and Bridge Construction, January 20191994” herein adopted and incorporated by reference. Copies of this document are available as provided in subsection (6), below and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Aggregate must also meet the following gradation requirements.

Sieve size	2 IN.	1 1/2 IN.	1 IN.	3/4 IN.	1/2 IN.	3/8 IN.	No. 4
Percent passing	90-100	35-100	15-100	0-70	0-50	0-30	0-5

In addition, not more than 3.75% by weight of the aggregate material at the point of use must shall pass a #200 sieve.

1. Approved materials for drainfield mineral aggregate must shall be limestone, slag, quartz rock, granite, river gravel, recycled crushed concrete, lightweight aggregate and other equally durable materials.

2. The aggregate must shall be labeled as drainfield aggregate on the freight bill-of-lading. Effective March 1, 1995, a copy of the freight bill-of-lading must shall be part of the documentation of aggregate size and quality and records must shall be available for Department review for a period of two years from the date of purchase. This bill-of-lading must shall clearly certify that the material meets the requirements for drainfield use.

(d) Mineral aggregate material must shall have a total depth of at least 12 inches extending throughout the width of the trench or absorption bed. The distribution pipe must shall have a minimum of six inches of aggregate under the pipe, but must shall not exceed 10 inches under the pipe when the total depth of aggregate is 12 inches.

(e) The drainfield in place must shall be protected from infiltration of earth backfill by a barrier of polyester bonded filament. The barrier must shall be placed on top of the drainfield only. For alternative drainfield systems any required

earth backfill barrier ~~must shall~~ be as specified by the alternative system manufacturer, which must be approved by the Department at the time of the initial alternative drainfield approval.

(f) Providing the requirements of subsections 62-6.006(1), (2) and (6), F.A.C., are met, the maximum depth from the bottom of the drainfield to the finished ground surface ~~must shall~~ not exceed 30 inches after natural settling. The minimum earth cover over the top of the drainfield, distribution box or header pipe in standard subsurface drainfields ~~must shall~~ be 6 inches after natural settling.

(g) The inside diameter of the drain pipe used in drainfields ~~must shall~~ be determined based on the type and design of the proposed absorption system. However, for standard gravity aggregate drainfield systems, inside pipe diameter ~~must shall~~ not be less than 4 inches. Perforated pipe ~~must shall~~ have two rows of holes, and a minimum perforated area of 1 1/2 square inches per linear foot. Perforations ~~must shall~~ be located not less than 30° or more than 60° from the vertical on either side of the center line of the bottom of the pipe. However, for drainfield systems designed by an engineer, drain pipe perforation area and hole configuration ~~must shall~~ assure that effluent is distributed as equally as possible throughout the drainfield area. All plastic pipe ~~must shall~~ conform to the standards of ASTM D-3034-21, Standard Specification for Type PSM Poly (Vinyl Chloride) (PVC) Sewer Pipe and Fittings (2021), incorporated by reference in subparagraph 62-6.014(2)(a)1., F.A.C. 98, Standard Specification for Type PSM Poly (Vinyl Chloride) (PVC) Sewer Pipe and Fittings (1998), herein incorporated by reference, ASTM F-667/667M-16R21, Standard Specification for 3 through 24 in. Corrugated Polyethylene Pipe and Fittings (2021), incorporated in subparagraph 62-6.014(2)(a)4., F.A.C. 405-97, Standard Specification for Corrugated Polyethylene (PE) Pipe and Fittings (1977), herein incorporated by reference, or ASTM F-810-12R1899 (1999), Standard Specification for Smoothwall Polyethylene (PE) Pipe for Use in Drainage and Waste Disposal Absorption Fields as herein incorporated by reference in subparagraph 62-6.014(2)(a)5., F.A.C.

(h) Depending on the type of drainfield system being utilized, the drainfield absorption surface ~~must shall~~ be constructed level or with a downward slope not exceeding one inch per 10 feet. Drain lines ~~must shall~~ be placed at the same slope as the drainfield absorption surface.

(i) The maximum length of drain lines ~~must shall~~ not exceed 100 feet for all gravity-fed and lift-dosed drainfields, and where two or more drain lines are used, they ~~must shall~~ be, as near as practical, the same length. The ends of two or more drain lines in bed and mound systems ~~must 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 ~~must shall~~ be capped or sealed.

(j) No part of a drainfield ~~must shall~~ be placed within 18 inches of the treatment or pump tank.

(k) No change.

(6) All materials incorporated herein may be obtained from the Department of Environmental Protection, Onsite Sewage Program at [www.floridadep.gov](http://www.floridadep.gov) or 2600 Blair Stone Road, MS 3596, Tallahassee, Florida 32399-2400. Reference materials deemed copyright protected are available for inspection at the same address.

Rulemaking Authority 381.0065(3)(a) FS. Law Implemented 381.0065 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, 11-26-06, 6-25-09, 7-16-13, Formerly 64E-6.014, Amended.

### 62-6.025 Definitions

Definitions in Chapter 62-6, Parts I and II, F.A.C., are also applicable to Chapter 62-6, Part IV, F.A.C.

~~(1) Advanced Secondary Treatment Standards: A wastewater system with the following operational criteria:~~

~~(a) CBOD<sub>5</sub> and TSS:~~

~~1. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 10 mg/l.~~

~~2. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 12.5 mg/l.~~

~~3. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 15 mg/l.~~

~~4. Maximum permissible concentrations of CBOD<sub>5</sub> or TSS values in any effluent grab sample at any time shall not exceed 20 mg/l.~~

~~(b) TN:~~

~~1. The arithmetic mean of the TN values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 20 mg/l.~~

~~2. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 25 mg/l.~~

~~3. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 30 mg/l.~~

4. Maximum permissible concentrations of TN values in any effluent grab sample at any time shall not exceed 40 mg/l.

(c) TP.

1. The arithmetic mean of the TP values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 10 mg/l.

2. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 12.5 mg/l.

3. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 15 mg/l.

4. Maximum permissible concentrations of TP values in any effluent grab sample at any time shall not exceed 20 mg/l.

(d) Fecal coliform—system operation shall result in not more than 200 fecal coliform colonies per 100 ml of effluent sample. Where chlorine is used for disinfection, the design shall include provisions for rapid and uniform mixing and a total chlorine residual of at least 0.5 mg/l shall be maintained after at least 15 minutes contact time at the peak hourly flow. To determine compliance of a system, the following operational criteria (using either MF or MPN methods) shall be applicable.

1. The arithmetic mean of the fecal coliform colonies collected during the annual period shall not exceed 200 per 100 ml of effluent.

2. The median value of the fecal coliform colonies for a minimum number of 10 samples of effluent, each collected on a separate day during a period of 30 days (monthly) shall not exceed 200 per 100 ml of sample.

3. No more than 10% of the samples collected during the period of 30 consecutive days shall exceed 400 fecal coliform colonies per 100 ml of sample.

4. Any one sample shall not exceed 800 fecal coliform colonies per 100 ml of sample.

(2) Advanced Wastewater Treatment Standards: A wastewater system with the following operational criteria:

(a) CBOD<sub>5</sub> and TSS.

1. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 5 mg/l.

2. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 6.25 mg/l.

3. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for a minimum of four effluent samples, each collected (whether

grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 7.5 mg/l.

4. Maximum permissible concentrations of CBOD<sub>5</sub> or TSS values in any effluent grab sample at any time shall not exceed 10 mg/l.

(b) TN.

1. The arithmetic mean of the TN values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 3 mg/l.

2. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 3.75 mg/l.

3. The arithmetic mean of the TN values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 4.5 mg/l.

4. Maximum permissible concentrations of TN values in any effluent grab sample at any time shall not exceed 6 mg/l.

(c) TP.

1. The arithmetic mean of the TP values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 1 mg/l.

2. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 90 consecutive days (quarterly) shall not exceed 1.25 mg/l.

3. The arithmetic mean of the TP values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 1.5 mg/l.

4. Maximum permissible concentrations of TP values in any effluent grab sample at any time shall not exceed 2.0 mg/l.

(d) Fecal coliform—system operation shall result in an effluent in which fecal coliform colonies (per 100 ml of sample) are below detectable limits. Where chlorine is used for disinfection, the design shall include provisions for rapid and uniform mixing; and the total chlorine residual of at least 1.0 mg/l shall be maintained at all times. The minimum acceptable contact time shall be 15 minutes at the peak hourly flow. To determine compliance of a system, the following operational criteria (using either MF or MPN methods) shall be applicable.

1. Fecal coliform shall be below the detection limits for 75% of the samples collected over a 30 day period.

2. Any one sample shall not exceed 25 fecal coliform colonies per 100 ml of sample.

3. Any one sample shall not exceed 5.0 mg/l of TSS at a point before application of the disinfectant.

(3) Baseline system standards—A wastewater system with the following operational criteria:

(a) Effluent concentrations from the treatment tank:

- 1. ~~CBOD<sub>5</sub> ≤ 240 mg/l.~~
- 2. ~~TSS ≤ 176 mg/l.~~
- 3. ~~TN ≤ 45 mg/l.~~
- 4. ~~TP ≤ 10 mg/l.~~

~~(b) Percolate concentrations from the baseline system prior to discharge to groundwater:~~

- 1. ~~CBOD<sub>5</sub> ≤ 5 mg/l.~~
- 2. ~~TSS ≤ 5 mg/l.~~
- 3. ~~TN ≤ 25 mg/l.~~
- 4. ~~TP ≤ 5 mg/l.~~

~~(4) Bottom infiltrative surface — the vertical projection of the bottom surface of the drainfield that is no lower in elevation than 30 inches below grade.~~

~~(1)(5) Composite sample — a defined mixture of grab samples of wastewater or effluent taken in proportion to either time or flow means a combination of individual samples of wastewater or effluent taken at selected intervals, generally hourly or less for some specified period, to minimize the effect of the variability of the individual sample.~~

~~(2) Disposal component — arrangement of equipment and/or materials that distributes effluent within a drainfield.~~

~~(3) Effluent — the recovered water product from a sampling point following the final design treatment step.~~

~~(4) Failure - as in Rule 62-6.002(23), F.A.C., including non-compliance with applicable treatment performance standards as defined in Rule 62-6.025(11)(e), F.A.C., unless the maintenance entity performs and documents maintenance after a sampling event, undertakes a second sampling event within 30 days of the first, and the results of which meet the applicable treatment performance standard.~~

~~(5)(6) Grab sample - a sample which is taken from wastewater or effluent over a period of time not to exceed fifteen minutes.~~

~~(6) Effective storage volume — fillable volume in the drainfield material within the vertical distance from the bottom of the drainfield to the invert of the distribution pipe.~~

~~(7) Effective drainfield depth — the vertical distance from the bottom of the drainfield to the invert of the distribution pipe.~~

~~(8) Florida Keys nutrient reduction treatment — a treatment which will provide a recovered water product that contains not more, on a permitted annual average basis, than the following concentrations from a sampling point located following the final design treatment step of the onsite sewage treatment and disposal system:~~

<del>(a) Biochemical Oxygen Demand (CBOD<sub>5</sub>)</del>	<del>10 mg/l</del>
<del>(b) Suspended Solids</del>	<del>10 mg/l</del>
<del>(c) Total Nitrogen, expressed as N</del>	<del>10 mg/l</del>
<del>(d) Total Phosphorus, expressed as P</del>	<del>1 mg/l</del>

~~(9) Innovative System — as defined by Section 381.0065(2), F.S.~~

~~(7)(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 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 after five days), TSS (total suspended solids), TN (total nitrogen), TP (total phosphorus), or fecal coliform found in domestic or commercial sewage waste, to a specific and measurable established performance standard.~~

~~(a) Treatment components which have already been approved as meeting the requirements of Rule 62-6.012(1) F.A.C., are not required to obtain an Innovative System Permit to be approved as a component of a performance-based treatment system. The manufacturer must request such approval from the Onsite Sewage Program in writing. When proposed as part of a performance-based treatment system, the treatment component’s proposed performance must not exceed the following:~~

~~1. For CBOD<sub>5</sub> and TSS, the average effluent concentration as reported by the applicable NSF 40 standard testing completion report, or corresponding results of an NSF 245 or NSF 350 testing completion report.~~

~~2. For TN, the average performance expressed as percent removal reported in the applicable NSF 245 standard testing completion report.~~

~~3. For fecal coliform, the performance expressed as percent removal for E. coli based on average influent and effluent concentrations reported in the applicable NSF 350 testing completion report.~~

~~(8)(14) Performance-based treatment system maintenance entity - any person or business entity which has obtained an annual written permit issued on Form DEP 4013, effective x-xx-xxxx, Operating Permit, adopted and incorporated by reference in subsection 62-6.012(4), F.A.C., at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> from by the Department of Health, county health department in the county where the maintenance entity is located and has been authorized by the design engineer or manufacturer of all treatment components used in the performance based treatment system and provides operation and maintenance services associated with performance based treatment system.~~

~~(12) Secondary Treatment Standards: A wastewater system with the following operational criteria:~~

~~(a) CBOD<sub>5</sub> and TSS.~~

~~1. The arithmetic mean of the CBOD<sub>5</sub> or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period shall not exceed 20 mg/l.~~

~~2. The arithmetic mean of the CBOD5 or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day during a period of 30 consecutive days (monthly) shall not exceed 30 mg/L.~~

~~3. The arithmetic mean of the CBOD5 or TSS values for a minimum of four effluent samples, each collected (whether grab or composite technique is used) on a separate day of seven consecutive days shall not exceed 45 mg/L.~~

~~4. Maximum permissible concentrations of CBOD5 or TSS values in any effluent grab sample at any time shall not exceed 60 mg/L.~~

~~(b) Fecal coliform—system operation shall result in not more than 200 fecal coliform colonies per 100 ml of effluent sample. Where chlorine is used for disinfection, the design shall include provisions for rapid and uniform mixing and a total chlorine residual of at least 0.5 mg/L shall be maintained after at least 15 minutes contact time at the peak hourly flow. To determine compliance of a system, the following operational criteria (using either MF or equivalent MPN methods) are applicable:~~

~~1. The arithmetic mean of the fecal coliform colonies collected during the annual period shall not exceed 200 per 100 ml of effluent.~~

~~2. The geometric mean of the fecal coliform colonies for a minimum of 10 samples of effluent, each collected on a separate day, shall not exceed 200 per 100 ml of sample.~~

~~3. No more than 10% of the samples collected during a period of 30 consecutive days shall exceed 400 fecal coliform colonies per 100 ml of sample.~~

~~4. Any one sample shall not exceed 800 fecal coliform colonies per 100 ml of sample.~~

~~(13) Sidewall infiltrative surfaces—the horizontal projection of the drainfield measured from the invert of the drainfield distribution pipe to the bottom infiltrative surface, or to 30 inches below finished grade, whichever is less.~~

~~(14) Total drainfield depth—the vertical distance from the bottom of the drainfield to the top of the drainfield.~~

~~(9) Total storage volume - the fillable volume from the bottom of the drainfield material to the top of the drainfield.~~

~~(10) Treatment component - any arrangement of equipment and/or material that treats sewage. A treatment component may coexist within or after a disposal component.~~

~~(11) Treatment performance standards~~

~~(a) Applications for performance-based treatment system construction permits after the effective date of this rule must include performance standards consisting of the following three criteria:~~

~~1. Annual average concentration is the arithmetic mean of the results of all effluent samples taken within the previous 365 days, expressed as a concentration.~~

2. Individual sample - result of analysis of one effluent sample, whether grab sample or composite sample, expressed as a concentration. If samples are taken from multiple sample points at the same sampling event, the highest concentration sample must be used.

3. Percent removal –removal of a pollutant from the discharge of the treatment system compared to the influent from the establishment based on annual averages of both. The calculation percent removal= (1- annual average effluent concentration/annual average influent concentration)\*100.

(b) Treatment performance standards are established for five pollutants.

1. Carbonaceous biochemical oxygen demand after five days (CBOD<sub>5</sub>), measured in mg oxygen per liter

2. Total suspended solids (TSS), measured in mg per liter

3. Total nitrogen (TN), the sum of nitrite, nitrate and total Kjeldahl nitrogen, measured in mg nitrogen per liter

4. Total phosphorus (TP), measured in mg phosphorus per liter

5. Fecal coliform, measured in colony forming units (cfu) or most probable number (MPN) per 100 mL

(c) For treatment performance standards other than domestic baseline treatment standards, in lieu of measured influent values, the following annual average design influent values may be assumed: 200 mg/L for CBOD<sub>5</sub>, 200 mg/L for TSS, 60 mg/L for TN, 10 mg/L for TP, 2,000,000 CFU/100 mL for fecal coliform.

(d) Numerical values for domestic sewage waste, domestic baseline septic tank effluent and several levels of common treatment performance standards for the five pollutants are defined in Table IXa and IXb. In the system construction application, the engineer must design the system to meet average annual concentrations for all applicable pollutants except for total nitrogen, for which percent removal must be used. The site-specific application may propose to use soil or a disposal component as part of the treatment system for secondary and advanced secondary treatment systems, in which case treatment concentration standards must be decreased by 90 percent for CBOD<sub>5</sub>, and TSS, by 99% for fecal coliform, and by 30% for TN, and TP, as shown in Table IXb.

(e) Compliance during monitoring must consist of meeting at least two of the three criteria. To achieve compliance the values determined from samples of the system must be equal to or better than the treatment standards listed. For concentrations, better means lower, for percent removal, better means higher.

TABLE IXa  
BASELINE TREATMENT STANDARDS

POLLUTANT	Domestic Sewage Waste Range	Domestic Baseline Septic Tank Effluent Standards	Domestic Baseline Soil Treatment Standard 24" Below Absorption Surface
	<b>CBOD<sub>5</sub> (mg/L)</b>		
-annual average	300	240	10
-individual sample	500	360	20
-removal	NA*	NA	95%
<b>TSS (mg/L)</b>			
-annual average	200	100	10
-individual sample	500	150	15
-removal	NA	NA	90%
<b>TN (mg/L)</b>			
-annual average	100	100	70
-individual sample	150	150	100
-removal	NA	NA	30%
<b>TP (mg/L)</b>			
-annual average	18	18	12
-individual sample	25	25	18
-removal	NA	NA	30%
<b>Fecal coliform (cfu or MPN/100ml)</b>			
-annual average	2.00E+06	2.00E+06	20
-individual sample	2.00E+07	2.00E+07	200
-percent reduction	NA	NA	99.999%

**TABLE IXb  
PERFORMANCE-BASED TREATMENT SYSTEM  
STANDARDS**

POLLUTANT	Design Influent Value	Aerobic Treatment Unit Standards	Aerobic Treatment Unit Standards	Secondary Treatment Standards with Soil	Secondary Treatment Standards	Advanced Secondary Treatment Standards	Advanced Secondary Treatment Standards	Florida Keys Nutrient Reduction	Advanced Wastewater Treatment Standards

	NSF 40	NSF 245		Treatment		with Soil Treatment	Standards	
<b>CBOD<sub>5</sub> (mg/L)</b>								
-annual average	200	20	20	20	2	10	1	10 5
-individual sample		60	60	60	6	30	3	30 10
-removal		90%	90%	90%	99%	95%	99.5%	95% 97%
<b>TSS (mg/L)</b>								
-annual average	200	20	20	20	2	10	1	10 5
-individual sample		60	60	60	6	30	3	30 10
-removal		90%	90%	90%	99%	95%	99.5%	95% 97%
<b>TN (mg/L)</b>								
-annual average	60	NR*	30	NR		30	21	10 3
-individual sample			50			50	35	40 6
-removal			50%			50%	65%	70% 95%
<b>TP (mg/L)</b>								
-annual average	10	NR	NR	NR		10	7	1 1
-individual sample						20	14	4 2
-removal						0	30%	80% 90%
<b>Fecal coliform (cfu or MPN/100ml)</b>								

-annual average	2.00 E+0 6	NR	NR	200	2	200	2	NR (Foot note 3)	1
-individual sample				800	8	800	8		25
-percent reduction				99.99 %	99.99 %	99.99 %	99.99 %		99.99 %

\* NA = Not applicable

\*\* NR = No requirement

Footnote 1. Where chlorine is used for disinfection in a system designed to meet advanced wastewater treatment standard for fecal coliform the design must include provisions for rapid and uniform mixing; and the total chlorine residual of at least 1.0 mg/l must be maintained at all times. The minimum acceptable contact time must be 15 minutes at the peak hourly flow. No individual sample must exceed 5 mg/L TSS after the last treatment step before application of the disinfectant.

Footnote 2. Where chlorine is used for disinfection in a system designed to meet either the secondary treatment standard or the advanced secondary treatment standard for fecal coliform, the design must include provisions for rapid and uniform mixing and a total chlorine residual of at least 0.5 mg/l must be maintained after at least 15 minutes contact time at the peak hourly flow.

Footnote 3. Where discharge is to an injection well, disinfection must meet the requirements for advanced secondary treatment standards.

Footnote 4. Performance-based treatment systems (PBTS) designed to meet Aerobic Treatment Unit (ATU) standards may be permitted where ATUs are required, for example by county or city ordinance. An ATU not permitted as a component of a PBTS must comply with Rule 62-6.012, F.A.C.

(45)(12) Wastewater strength - the sum of the CBOD<sub>5</sub> and TSS concentrations.

Rulemaking Authority 381.0011(4), (13), 381.0065(3)(a) FS. Law Implemented 381.0065, 381.0067, 386.041 FS. History—New 2-3-98, Amended 3-22-00, 6-18-03, 11-26-06, Formerly 64E-6.025. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Eberhard Roeder

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shawn Hamilton

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 20, 2021

**Section III**  
**Notice of Changes, Corrections and Withdrawals**

NONE

**Section IV**  
**Emergency Rules**

**DEPARTMENT OF REVENUE**

**Corporate, Estate and Intangible Tax**

RULE NO.: 12CER22-1  
RULE TITLE: Internship Tax Credit Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 51 of Chapter 2021-31, L.O.F., authorizes the Department of Revenue to promulgate emergency rules to implement s. 220.198, F.S., Florida Internship Tax Credit Program. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the eligibility criteria and application process for qualified businesses to request a student internship tax credit.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of s. 220.198, F.S. Additionally, this emergency rule is the most expedient and appropriate means of implementing the provisions of the Florida Internship Tax Credit Program.

SUMMARY: This emergency rule provides the eligibility criteria for qualified businesses to request a tax credit, the application process for submitting the request, and when the tax credits can be taken against the tax imposed by Chapter 220, F.S.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER22-1 Internship Tax Credit Program.

(1) Definitions. For purpose of this rule, the following terms mean:

(a) "Department" means the Florida Department of Revenue.

(b) “Full time” means at least 30 hours per week.

(c) “Qualified business” means a business that is in existence and has been continuously operating for at least 3 years.

(d) “Student intern” means a person who has completed at least 60 credit hours at a state university or a Florida College System institution, regardless of whether the student intern receives course credit for the internship; a person who is enrolled in a career center operated by a school district under s. 1001.44 or a charter technical career center; or any graduate student enrolled at a state university.

(2) Available Tax Credits for Qualified Businesses. For taxable years beginning during the 2022 and 2023 calendar years, a student internship tax credit is available against the tax imposed by Chapter 220, F.S., and equal to \$2,000 per student intern, but no more than \$10,000 per taxable year.

(a) These tax credits are available on a first-come, first-served basis.

(b) The Department must approve the tax credit before the taxpayer can take the credit on a return.

(c) Qualified businesses may carry forward any unused portion of the tax credit for up to two taxable years.

(3) Eligibility.

(a) To be eligible to request a tax credit, a qualified business must employ at least one student intern full time during the 2022 or 2023 taxable year for at least 9 consecutive weeks, in addition to one of the following criteria:

1. Twenty percent or more of the business’ current full-time employees were previously employed as student interns by the qualified business.

2. Employed, on average for the 3 immediately preceding taxable years, 10 or fewer full-time employees and previously hired at least one student intern during that time.

(b) Qualified businesses must provide documentation demonstrating that each student intern employed during the 2022 or 2023 taxable year is enrolled in an educational institution as stated in paragraph (1)(d) and maintains a minimum grade point average of 2.0 on a 4.0 scale, if applicable.

(4) Application process.

(a) To apply for available program credits, a taxpayer must submit a Florida Internship Tax Credit Program – Application for Tax Credit (Form F-1198, effective 03/22, hereby incorporated by reference, available on the Department’s website at floridarevenue.com), along with documentation demonstrating that the business and student intern meet the criteria to receive tax credits.

(b) Following receipt of an application, the Department will send written correspondence regarding the amount of tax credit approved or providing the reason the tax credit application could not be approved, whether in whole or in part.

The taxpayer may protest a denial pursuant to Sections 120.569 and 120.57, F.S. The Department will reserve the denied amount of the allocation for the taxpayer during the protest period.

Rulemaking Authority Section 51 of Chapter 2021-31, L.O.F. Law Implemented 220.198 FS. History–New 03-31-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 31, 2022

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

NOTICE IS HEREBY GIVEN that on March 28, 2022, the Agency for Health Care Administration, received a petition for Variance from or Waiver of Rule 59G-13.070 (“Petition”), was filed with the Agency for Health Care Administration on behalf of the Petitioner, C.S. Rule 59G-13.070, Florida Administrative Code (“Rule”), which applies to all providers rendering Florida Medicaid Developmental Disabilities Individual Budgeting Waiver (iBudget) services to recipients. requires that all providers of iBudget services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2020. (“Handbook”). Petitioner seeks a variance from or waiver of limited provisions of the Rule, which incorporates the Handbook by reference. Petitioner seeks a variance from or waiver of the Handbook provision, page 2-23, Life Skills Development Level 3 – Adult Day Training, which provides the staffing ratios for Adult Day Training services that meet the requirements specified in the Handbook to be reimbursed for Florida Medicaid services. Interested persons or agencies may submit written comments on the Petition within fourteen (14) days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308; Richard.Shoop@ahca.myflorida.com, (850)412-3689.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on January 24, 2022, the Construction Industry Licensing Board, received a petition for variance or waiver filed by Vincent Frederick Strawbridge, Jr. Petitioner seeks a variance or waiver from the timeframes to apply for a Certified Building Contractor’s license, however, Petitioner did not identify a rule or statute.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Donald Shaw, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com. Comments on this petition should be filed with the Construction Industry Licensing Board within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

The Board of Nursing hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on July 30, 2021, by Patricia Tejada. The Notice of Petition for Waiver or Variance was published in Volume 47, Number 157, of the August 13, 2021, Florida Administrative Register. Petitioner was seeking a waiver or variance of subsection 64B9-3.002(2), F.A.C., entitled, “Qualifications for Examination,” which states in part that the qualifications for examination for graduates of an approved nursing program, a notice of graduation or of completion of the requirements for graduation. For graduates of an approved program equivalent, an official transcript or equivalent documentation which identifies all courses completed with a minimum acceptable passing score established by the institution or program at which each course was completed that meet graduation requirements. The Board considered the instant Petition at a duly-noticed public meeting held October 7-8, 2021, in Kissimmee, Florida. The Board’s Order, filed on November 10, 2021, granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 64B9-3.002(2), Florida Administrative Code. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 20, 2022, 4:30 p.m.

PLACE: Zoom / Conference Call; Dial in number: (929)436-2866, Meeting ID: 882 5013 8953, Passcode: 107923

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture Center & Horse Park Authority Board of Directors will conduct a meeting to discuss general business.

A copy of the agenda may be obtained by contacting: Jason Reynolds at jreynolds@flhorsepark.com.

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 2 days before the workshop/meeting by contacting: Jason Reynolds at jreynolds@flhorsepark.com. 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).

For more information, you may contact: Jason Reynolds at jreynolds@flhorsepark.com.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.:RULE TITLES:

12C-1.0198 Internship Tax Credit Program

12C-1.051 Forms

The Department of Revenue announces a workshop to which all persons are invited.

DATE AND TIME: April 27, 2022, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. Members of the public can also attend electronically via webinar; participants will need to register for the webinar using the following link: <https://attendee.gotowebinar.com/register/3852445074222014735>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this rulemaking is to implement the Florida Internship Tax Credit Program pursuant to Section 220.198, F.S., as created by Section 34 of Chapter 2021-31, L.O.F., during the 2021 legislative session. Under Section 220.198, F.S., a business is eligible for a credit against the tax imposed by Ch. 220, F.S., equal to \$2,000 per student intern, but may

not claim more than \$10,000 in any one taxable year. To claim a tax credit, businesses must meet the criteria specified in subsections 220.198(3) and (4), F.S.

A copy of the agenda may be obtained by contacting: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone: (850)717-7082, email RuleComments@floridarevenue.com.

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 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. 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).

For more information, you may contact: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone: (850)717-7082, email RuleComments@floridarevenue.com.

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council's Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2022, 2:00 p.m.

PLACE: This meeting will be held via a virtual communication platform. Persons wishing to participate in this meeting should dial: (786)635-1003. The meeting ID is: 890 3491 3053. The Passcode is: 1234. The Zoom Meeting Link is: <https://us02web.zoom.us/j/89034913053?pwd=czJoQ1hZakZkZWZrb21vUU5Cc2txdz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council's Agency on Bay Management.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. 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).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 11, 2022, 12:00 Noon; Loxahatchee River Preservation Initiative Meeting

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss and consider Loxahatchee River Preservation Initiative business, including current and future projects and activities.

Since its inception in 2000, the Loxahatchee River Preservation Initiative (LRPI) has guided regional watershed restoration projects within northeastern Palm Beach County and southern Martin County. The LRPI is a multi-agency partnership between the South Florida Water Management District, Florida Department of Environmental Protection (Florida Park Service), Friends of the Loxahatchee River, Jupiter Inlet District, Loxahatchee River Environmental Control District, Martin County, Palm Beach County, South Indian River Water Control District, Town of Jupiter, and Village of Tequesta.

Members of the public are invited to attend and provide public comment.

One or more members of the Governing Board of the South Florida Water Management District may attend these meetings. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Jeff Buck, (561)682-2634, jebuck@sfwmd.gov, or by visiting [www.LRPI.us](http://www.LRPI.us) seven days prior to the workshop/meeting.

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 seven days before the workshop/meeting by contacting: Rosie Byrd at rbyrd@sfwmd.gov. 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). 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeff Buck, (561)682-2634, jebuck@sfwmd.gov.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

The Board of Chiropractic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2022, 8:30 a.m.

PLACE: Holiday Inn Disney Springs; 1805 Hotel Plaza Blvd, Orlando, Fl. 32830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting:  
<https://floridaschiropracticmedicine.gov/>.

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: 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact:  
[MQA.Chiropractic@flealth.gov](mailto:MQA.Chiropractic@flealth.gov).

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Mental Health Program**

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 5, 2022, 3:30 p.m.

**PLACE:** Please join meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/SolicitationAdministration>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 687-621-357

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
DCF ITN 2122 005 - Workforce Development. The schedule of public meetings is available at the Vendor Bid System (VBS), accessible at [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

The Department will post notice of any changes or additional meetings within the VBS.

A copy of the agenda may be obtained by contacting:  
[michele.staffieri@myflfamilies.com](mailto:michele.staffieri@myflfamilies.com).

**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, April 14, 2022, 9:00 a.m. – 10:00 a.m., Youth Committee Meeting

**PLACE:** Join Zoom Meeting:  
<https://us06web.zoom.us/j/84702348458?pwd=dy9ZS0tCdWdkckFwOExXekgzGpadz09>

Meeting ID: 847 0234 8458, Passcode: 216522

One tap mobile:

+13126266799,,84702348458# US (Chicago)

+19292056099,,84702348458# US (New York)

Dial by your location:

(312)626-6799, US (Chicago)

(929)205-6099, US (New York)

(301)715-8592, US (Washington DC)

(346)248-7799, US (Houston)

(669)900-6833, US (San Jose)

(253)215-8782, US (Tacoma)

Meeting ID: 847 0234 8458

Find your local number:

<https://us06web.zoom.us/j/84702348458>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Business of the Committees or Business of the Council

Persons who want to be notified of such meetings may submit a request by contacting the Florida Independent Living Council, Inc., 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308, (850)488-5624 or Toll Free 1(877)822-1993 or email [info@floridasilc.org](mailto:info@floridasilc.org).

A copy of the agenda may be obtained by contacting: Florida Independent Living Council.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at [beth@floridasilc.org](mailto:beth@floridasilc.org), or (850)488-5624 to discuss your accessibility needs. Please allow five business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

**PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM**

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 20, 2022, 10:00 a.m.

**PLACE:** The PPLCS office located at 2862 Madison Street, Ste. 1, Marianna, FL 32448

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Normal meeting materials.

A copy of the agenda may be obtained by contacting: Cynthia at [cdelahunt@pplcs.net](mailto:cdelahunt@pplcs.net) or (850)482-9296.

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 3 days before the workshop/meeting by contacting: Cynthia at [cdelahunt@pplcs.net](mailto:cdelahunt@pplcs.net) or (850)482-9296. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Cynthia at [cdelahunt@ppls.net](mailto:cdelahunt@ppls.net) or (850)482-9296.

#### QCAUSA

The Florida Department of Transportation (FDOT) District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 6, 2022, 6:00 p.m.

PLACE: Milander Park 4700 Palm Ave. Hialeah, FL 33012

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project Identification Numbers: 447165-1-52-01, 441830-1-52-01, and 441831-1-52-01

Project Description: State Road (SR) 826/Palmetto Expressway from south of NW 36 Street to north of NW 154 Street/Miami Lakes Drive in Miami-Dade County, Florida

The Florida Department of Transportation (FDOT) District Six will host a public information meeting for the Palmetto Expressway Capacity Project from south of NW 36 Street to north of NW 154 Street/Miami Lakes Drive. The in-person and virtual meeting will be held simultaneously, starting at 6:00 p.m. on Wednesday, April 6, 2022.

The in-person public meeting will take place at Milander Park, 4700 Palm Avenue, Hialeah, FL 33012. The virtual meeting will be held online using GoTo Webinar. To participate in the virtual meeting with your smartphone, tablet or computer, please register at:

<https://attendee.gotowebinar.com/register/3712896157559469328>. Participants can also call in by dialing (631)992-3221 with access code 784-772-652. For more information about the project or meeting, please contact Community Outreach Specialist Maria Camacho at (305)731-7699 or by email at [Maria.Camacho@qcausa.com](mailto:Maria.Camacho@qcausa.com).

FDOT staff will be available to answer questions in the order they are received and as time permits. If your question is not responded to during the meeting, a response will be provided in writing afterwards. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist Maria Camacho at (305)731-7699 or by email at [Maria.Camacho@qcausa.com](mailto:Maria.Camacho@qcausa.com).

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 5 days before the workshop/meeting by contacting: Nicholas Danu at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email

at: [Nicholas.Danu@dot.state.fl.us](mailto:Nicholas.Danu@dot.state.fl.us) at least five days prior to the meeting. 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).

For more information, you may contact: Community Outreach Specialist Maria Camacho at (305)731-7699 or by email at [Maria.Camacho@qcausa.com](mailto:Maria.Camacho@qcausa.com).

#### KITTELSON & ASSOCIATES, INC.

The FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT SEVEN announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 20, 2022, 3:00 p.m. – 5:00 p.m.

PLACE: Planning Commission Board Room, 18th floor, County Center Building, 601 E. Kennedy Boulevard, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: You are invited to attend and participate in the third Project Advisory Group (PAG) Meeting for the 56th Street/50th Street Corridor Planning Study. The Florida Department of Transportation (FDOT), District Seven, has scheduled the third PAG Meeting to provide an overview of the proposed conceptual alternatives, and to discuss the evaluation of the alternatives for the 56th Street/50th Street Corridor Planning Study from the Selmon Expressway to Fletcher Avenue being conducted in Hillsborough County, Florida. The meeting will provide the opportunity to gather feedback and guidance for the next phase of the study to Select Alternatives.

This project is being coordinated with Hillsborough County, the City of Tampa, the City of Temple Terrace, the Hillsborough Transportation Planning Organization (TPO), and the Hillsborough Area Regional Transit Authority's to develop potential solutions that improve multimodal safety, operations, and connectivity. The 56th Street corridor from Sligh Avenue to Busch Boulevard/Bullard Parkway was identified by the Hillsborough TPO as a Vision Zero corridor, meaning it was identified as a corridor with a high number of severe crashes leading to fatalities and incapacitating injuries. The study will determine how to best meet the needs of current and future users, and to establish a long-term plan to guide the evolution of the corridor to appropriately balance land use and transportation planning.

At the PAG Meeting #3, the study team will provide an overview of proposed conceptual alternatives and discuss the evaluation of the alternatives to prepare for a public meeting. Additional 56th Street/50th Street Corridor Planning Study project information may be found at this website: <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

The PAG Meeting #3 is scheduled for Wednesday, April 20, 2022, 3:00 p.m. – 5:00 p.m. This meeting will be conducted in-

person at the Planning Commission Board Room (601 E. Kennedy Boulevard, Tampa, Florida 33602).

Written comments can be mailed to: Brian Shroyer, CPM, Project Manager, Florida Department of Transportation, District Seven, Planning & Environmental Management Office (PLEMO) MS 7-500, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612, emailed to: Brian.Shroyer@dot.state.fl.us or provided on the "Send us your comments" page on the project website

at <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

FDOT welcomes and appreciates everyone's participation. If you have questions about the project or the scheduled meeting, or would like to obtain more information, please contact Brian Shroyer, CPM, Project Manager, at 1(813)975-6449 or 1(800)226-7220 or visit our project website at <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

Comuníquese Con Nosotros

Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o simplemente desea más información sobre este proyecto, por favor comuníquese con nuestro representante, Manuel Flores al teléfono 1(813)975-4248 o al correo electrónico Manuel.Flores@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Brian Shroyer, CPM, Project Manager, at 1(813)975-6449 or 1(800)226-7220 or visit our project website at <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

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: Roger Roscoe, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612, 1(813)975-6411. 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).

For more information, you may contact: Roger Roscoe, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612, 1(813)975-6411.

## Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF HEALTH

#### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Rosemarie Schwitzer, APRN on September 3, 2021. The following is a summary of the agency's disposition of the petition: The Notice of Petition for Declaratory Statement was published in Volume 47, No. 174, of the September 8, 2021, Florida Administrative Register. The petitioner seeks a Declaratory Statement from the Board in regard to the interpretation of Section 464.012, F.S., as to whether a Family Nurse Practitioner with a collaborative physician agreement (with a radiologist) and an equipment vendor sponsored liposuction procedure training course completed, is permitted to perform abdominal liposuction in an office practice setting without a supervising physician (or any physician) present in the building? On September 28, 2021, a Motion to Intervene was filed on behalf of the Florida Medical Association, Inc., Florida Society of Plastic Surgeons, Inc., Florida Society of Dermatology and Dermatologic Surgery, Inc., and Florida Osteopathic Medical Association in opposition to the filed Petition for Declaratory Statement. At the duly-noticed public meeting held on October 7, 2021, in Kissimmee, Florida, the Board granted the Motion to Intervene and heard comments and discussion from both the Petitioner and the intervenors. The Board denied the Petition for Declaratory Statement because it did not meet the statutory requirements. The Petition was dismissed by the Board. The intervenors withdrew their Motion. The Board's Order was filed on November 3, 2021.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, [info@floridasnursing.gov](mailto:info@floridasnursing.gov), or by telephone at (850)245-4125.

### DEPARTMENT OF HEALTH

#### Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Allyson Sauber, APRN on August 19, 2021. The following is a summary of the agency's disposition of the petition: The Notice of Petition for Declaratory Statement was published in Volume 47, No. 165, of the August 25, 2021, Florida Administrative Register. The petitioner seeks a Declaratory Statement from the Board in regard to the interpretation of Section 464, F.S., and asks the following

questions for clarification. (1) Is a family nurse practitioner in the state of Florida able to perform laser liposuction with subsequent autologous fat transfer procedure (with Beautiful machine by Alma)? (a) With Petitioner’s only training being the training provided by the Alma company (9 hours of observation of the procedure, followed by 6-8 hours of performing the procedure under the supervision of a physician)? (b) If further training is required, what would this include – would this require Petitioner to obtain an RNFA, perform a certain number of cases under direct physician supervision? (c) Is Petitioner able to perform this procedure in outpatient office setting (level 1 office procedure, with less than 1000cc fat removal) – without a physician directly present (and only available by phone), under a collaborating agreement with a plastic surgeon? On September 13, 2021, a Motion to Intervene was filed on behalf of the Florida Medical Association, Inc., Florida Society of Plastic Surgeons, Inc., Florida Society of Dermatology and Dermatologic Surgery, Inc., and Florida Osteopathic Medical Association in opposition to the filed Petition for Declaratory Statement. At the duly-noticed public meeting held on October 7, 2021, in Kissimmee, Florida, the Board granted the Motion to Intervene and heard comments and discussion from the intervenors. The Board denied the Petition for Declaratory Statement because it did not have sufficient information upon which to formulate a proper response. The intervenors dismissed their Motion. The Board’s Order was filed on November 3, 2021.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov, or by telephone at (850)245-4125.

**Section VIII**  
**Notice of Petitions and Dispositions**  
**Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX**  
**Notice of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

NONE

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**STATE BOARD OF ADMINISTRATION**

**Request for Qualifications**

The State Board of Administration is soliciting competitive responses from individuals to offer meteorological consulting services for the Florida Commission on Hurricane Loss Projection Methodology (Commission). The Request for Qualifications will be available on April 1, 2022, on the Commission website at [www.sbafla.com/methodology](http://www.sbafla.com/methodology). The deadline for submitting a complete response is 5:00 p.m. ET on April 22, 2022.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**DEP RFP 2022018 – Harmful Algal Bloom Management Services**

The Florida Department of Environmental Protection is requesting Proposals for Harmful Algal Bloom Management Services. The Department will post notice of any changes or additional meeting(s) on the Vendor Informational Portal (VIP) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VIP at: <https://vendor.myfloridamarketplace.com/>.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Advance Cleanup Notice of Bid**

**Notice of Application Period for Advanced Cleanup (AC)**

The Department of Environmental Protection announces, in accordance with Section 376.30713, F.S., that it will accept AC applications for Individual and Bundled sites submitted between May 1, 2022, and on or before 5:00 p.m. on June 30, 2022. Public opening of timely submitted AC applications shall

be on July 8, 2022, beginning at 10:00 a.m. at the Department of Environmental Protection, 2600 Blair Stone Road, Conference Room 433, Tallahassee, Florida. Any updates to the AC forms and guidance will be posted on the Petroleum Restoration (PRP) website by May 1, 2022. Please use the following link to access that information: <https://floridadep.gov/waste/petroleum-restoration/content/advanced-cleanup-program-ac>

Dona Milinkovich, Petroleum Restoration Program AC Coordinator, is the point of contact for the AC Program. Please direct inquiries regarding the AC process (but no pre-bids or bidding information) to: Dona Milinkovich, Department of Environmental Protection, Petroleum Restoration Program, 2600 Blair Stone Road, MS 4530, Tallahassee, Florida 32399-2400, phone: (850)245-8872, or email: [Dona.Milinkovich@floridadep.gov](mailto:Dona.Milinkovich@floridadep.gov).

#### JE DUNN CONSTRUCTION

##### Pinellas Central Elementary School Campus Remodel

##### Notice to Bidders

JE Dunn Construction, (CGC-062145), the Construction Manager for Pinellas County Schools Pinellas Central Elementary School Campus Remodel, hereby solicits sealed proposals for the referenced project in accordance with the proposal documents to include but not limited to the following Scopes of Work:

- 01I - Final Cleaning
- 02B – Selective Demolition
- 03C – Concrete Structure& Site Concrete
- 03L – Precast Concrete
- 04A – Masonry
- 005A - Miscellaneous Structural Steel
- 6E – Millwork & Finish Carpentry
- 07E – Metal Wall Panels
- 07G - Roofing
- 08A – Doors/Frames/Hardware
- 08F – Glass & Glazing
- 09A - Drywall & Stucco
- 09B - Painting
- 09F - Acoustical Ceilings
- 09H – Flooring
- 10G – Signage
- 10J – Awnings & Canopies
- 21A – Fire Protection
- 23A – HVAC
- 23C - Test & Balance
- 26A – Electrical & Data
- 28A - Security
- 31C - Earthwork Utilities
- 32A – Asphalt Paving
- 32C – Pavement Markings

32G – Landscape & Irrigation

33A – Site Utilities

A non-mandatory pre-proposal meeting and site visit will be held at Pinellas Central Elementary School, 10501 58th Street, Pinellas Park, FL 33782 (time and date to be determined) for the purpose of answering any questions from prospective Bidders regarding the Scopes of Work on the Project. Attendance is strongly recommended. No other Pre-Bid Conference will be held.

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., local time, Tuesday May, 3, 2022. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened. The bid opening is not a public meeting. All Bids shall be valid for acceptance by the Construction Manager for a period of Ninety (90) calendar days following the submittal deadline.

All interested subcontractors and vendors must be pre-qualified or have completed the pre-qualification process within the last year. Subcontractors must submit pre-qualification prior to April 19, 2022 in order to be considered for this project. Pre-qualification information and forms can be obtained through the JE Dunn Construction Registration site located at <http://sms.jedunn.com>.

The Jessica Lunsford Act will be in effect for this project. The project is not subject to the Davis Bacon Act.

Pinellas County Schools and JE Dunn Construction are committed to provide equal opportunity and strongly encourage all interested M/WBE and S/LBE firms to submit proposals.

Proposal documents will be made available on or about April 5, 2022. Proposal documents will be available via the JE Dunn Construction Smart Bid site only. Each pre-qualified subcontractor will be provided the site log-in. Subcontractors are responsible for all printing and shipping costs if hard copies of the proposal documents are requested.

Pinellas County Schools and JE Dunn Construction reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing no later than 7 Business Days prior to the Bid Date. The Owner and Architect will not accept calls regarding this project.

Please refer to the Front End Documents for information regarding Instructions to Bidders, Eligibility Requirements, Insurance Requirements, Licensing, Payment and Performance Bonds, Payment Procedures, Permitting, Sample Form(s) of Agreement, General Conditions, Supplemental Conditions, Bid

Forms, Phasing Plans, Construction Schedules, Scopes of Work, Sales Tax Savings program, and Special Requirements. Dates are subject to change. All future updates regarding this project will be transmitted to only prequalified firms. Please contact Donna Singletary, Estimating Manager, 1(813)940-3264, donna.singletary@jedunn.com with any questions or to request additional information.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, March 25, 2022 and 3:00 p.m., Thursday, March 31, 2022.

Rule No.	File Date	Effective Date
2A-9.004	3/28/2022	4/17/2022
12CER22-1	3/31/2022	3/31/2022
61G20-2.003	3/25/2022	4/14/2022
64B7-24.021	3/28/2022	4/17/2022
64B7-26.005	3/28/2022	4/17/2022
64B7-28.008	3/28/2022	4/17/2022
64B7-30.001	3/28/2022	4/17/2022
64B18-17.005	3/31/2022	4/20/2022
68B-31.003	3/28/2022	5/1/2022
68B-31.0035	3/28/2022	5/1/2022
68B-31.006	3/28/2022	5/1/2022
68B-31.007	3/28/2022	5/1/2022
68B-31.008	3/28/2022	5/1/2022
68B-31.009	3/28/2022	5/1/2022
68B-31.017	3/28/2022	5/1/2022
68B-31.018	3/28/2022	5/1/2022

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****

60P2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

**DEPARTMENT OF REVENUE**

Corporate, Estate and Intangible Tax

NOTICE OF EXTENSION UNDER SECTION 120.74(5), FLORIDA STATUTES

RULE NOS.:RULE TITLES:

12C-1.0198 Internship Tax Credit Program

12C-1.051 Forms

In accordance with subsection 120.74(5), F.S., the Department extends the April 1 deadline to publish a Notice of Proposed Rule for Rule Chapter 12C-1, Corporate Income Tax., to implement sections 34 and 35, Chapter 2021-31, Laws of Florida. A Notice of Rule Development for Rules 12C-1.0198 and 12C-1.051, F.A.C., was published in the Florida Administrative Register on November 1, 2021 (Vol. 47, No. 212, p. 5110). A Notice of Emergency Rule 12CER22-1, Internship Tax Credit Program, is published in this issue of the Florida Administrative Register to implement this law pending adoption of a permanent rule. To receive public comment to continue to develop a proposed permanent rule and form, a Notice of Workshop announcing a rule development workshop to be held on April 27, 2022, is published in this issue of the Florida Administrative Register.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

Notice of Extension under Subsection 120.74(5), Florida Statutes

RULE NO.: RULE TITLE:

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

The South Florida Water Management District (District) hereby provides notice of extension of the deadline set forth in subsection 120.74(5), Fla. Stat., which requires the District to publish a Notice of Proposed Rule for certain rules listed on the District’s 2021-2022 Regulatory Plan. More specifically, the deadline for publication of a Notice of Proposed Rule is extended for Rule 40E-4.091, F.A.C.

a) Concise statement identifying issues causing the delay in rulemaking:

As required by paragraph 373.4131(6)(a), F.S. (2020), by January 1, 2021, the Florida Department of Environmental

Protection (Department), in conjunction with the water management districts, must begin rulemaking to update the environmental resource permitting stormwater design and operation regulations using the most recent scientific information available. The Department held thirteen Technical Advisory Committee (TAC) meetings to provide a forum for engaging the public on the technical aspects of this rulemaking effort. The Department anticipates holding rule workshops to discuss proposed rule language. Water management district staff will request authorization from their respective governing boards to publish a Notice of Proposed Rule once rule language is finalized. The Department will also publish a Notice of Proposed Rule at that time.

b) Applicable notice as published in the Florida Administrative Register:

The District published a Notice of Rule Development on December 18, 2020 (Vol. 46/No. 245).

Expiration: Pursuant to subsection 120.74(5), Florida Statutes, this extension expires on October 1, 2022.

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Certificate of Need**  
**NOTICE OF FIXED NEED POOLS FOR COMMUNITY NURSING HOME BEDS**

The Agency for Health Care Administration has projected a fixed bed need pool for community nursing home beds for January 2025 pursuant to the provisions of Section 408.034(5), Florida Statutes and Rules 59C-1.008 and 59C-1.036, F.A.C. Net bed need projections for community nursing home beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Building 2, C-1, MS 28, Tallahassee, Florida, 32308, on or before 5pm, April 18, 2022.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a

proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Room 3431, MS 3, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Community Nursing Home Bed Need

	<u>Bed Need</u>
District 1	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 30	
District 2	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 3	0
Subdistrict 4	0
Subdistrict 5	0
District 3	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 3	0
Subdistrict 4	0
Subdistrict 5	0
Subdistrict 6	0
Subdistrict 7	0
District 4	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 3	0
Subdistrict 4	0
District 5	
Subdistrict 1	0
Subdistrict 2	0
District 6	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 3	0
Subdistrict 4	0
Subdistrict 5	0
District 7	
Subdistrict 1	0
Subdistrict 2	0
Subdistrict 3	0
Subdistrict 4	0
District 8	
Subdistrict 1	0

Subdistrict 2 0  
 Subdistrict 3 0  
 Subdistrict 4 0  
 Subdistrict 5 0  
 Subdistrict 6 0  
 District 9  
     Subdistrict 1 0  
     Subdistrict 2 0  
     Subdistrict 3 0  
     Subdistrict 4 0  
     Subdistrict 5 0  
 District 10 0  
 District 11  
     Subdistrict 1 0  
     Subdistrict 2 0  
 Total Statewide 0

Notice of Rule Development for the rule numbers listed above was published in the FAR on November 1, 2021 (Vol. 47, No. 212).  
 Expiration: Pursuant to subsection 120.74(5), F.S., this extension expires on October 1, 2022.

**DEPARTMENT OF MANAGEMENT SERVICES**  
 Florida Digital Service  
**NOTICE OF EXTENSION UNDER SECTION 120.74(5), FLORIDA STATUTES**  
**RULE NOS.:RULE TITLES:**  
 60GG-2.001 Purpose and Applicability; Definitions  
 60GG-2.002 Identify  
 60GG-2.003 Protect  
 60GG-2.004 Detect  
 60GG-2.005 Respond  
 60GG-2.006 Recover  
 The State of Florida Department of Management Services (“Department”) hereby provides notice of extension of the deadline set forth in section 120.74(5), F.S., requiring publication of a Notice of Proposed Rule by April 1 for certain rules listed on the Department’s 2021-2022 Regulatory Plan. More specifically, the deadline for publication of a Notice of Proposed Rule is extended for the above listed rule numbers.  
 (a) Concise statement identifying issues causing the delay in rulemaking:  
 The Department has initiated rulemaking to update the rules consistent with Chapter 2021-234, Laws of Florida. The subject matter of the rulemaking is highly technical and will have statewide application. The Department intends to complete rulemaking to address some of the changes necessitated by Chapter 2021-234, Laws of Florida, and to publish a Notice of Proposed Rule for those changes in the near future. The Department will then immediately reopen rulemaking to address the remainder of the required changes.  
 (b) Applicable notice as published in the Florida Administrative Register:

**DEPARTMENT OF FINANCIAL SERVICES**  
 Division of Risk Management  
 Notice of Extension  
**RULE NOS.:RULE TITLES:**  
 69H-2.004 Certificate of Coverage  
 69H-2.008 Other Forms Adopted  
 This Notice of Extension is being published pursuant to subsection 120.74(5), F.S., to extend the April 1, 2022, deadline for publishing a Notice of Proposed Rule for Rules 69H-2.004 and .008, F.A.C. The Notice of Rule Development was published in the Vol. 47, No. 212, November 1, 2021, issue of the Florida Administrative Register. This Notice is being filed because the Department is finalizing the rule language and forms, as well as making additional changes to improve the flow and readability of the rules in Rule Chapter 69H-2.

**DEPARTMENT OF FINANCIAL SERVICES**  
 Division of Consumer Services  
 Notice of Extension  
**RULE NO.: RULE TITLE:**  
 69J-123.003 Property Insurance Intent to Initiate Litigation Notice  
 This Notice of Extension is being published pursuant to subsection 120.74(5), F.S., to extend the April 1, 2022, deadline for publishing a Notice of Proposed Rule for Rule 69J-123.003, F.A.C. The Notice of Rule Development was published in the Vol. 47, No. 212, November 1, 2021, issue of the Florida Administrative Register. This Notice is being filed because the Department is finalizing the format and substance of the form required by statute by incorporating feedback and public comments obtained during a rule workshop.

**DEPARTMENT OF FINANCIAL SERVICES**  
 Division of Funeral, Cemetery, and Consumer Services  
 Notice of Extension  
**RULE NO.: RULE TITLE:**  
 69K-1.001 List of Approved Forms; Incorporation by Reference.  
 This Notice of Extension is being published pursuant to subsection 120.74(5), F.S., to extend the April 1, 2022, deadline for publishing a Notice of Proposed Rule for Rule 69K-1.001, F.A.C. The Notice of Rule Development was published in the Vol. 47, No. 212, November 1, 2021, issue of the Florida Administrative Register. This Notice is being filed because the Department is finalizing the rule language and form changes required by statute.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development  
 DEO Final Order No. DEO-22-010

**STATE OF FLORIDA**  
**DEPARTMENT OF ECONOMIC OPPORTUNITY**

In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY CITY OF LAKE ALFRED,  
 FLORIDA  
 ORDINANCE NO. 1471-21

**FINAL ORDER**  
**APPROVING CITY OF LAKE ALFRED ORDINANCE NO.**  
**1471-21**

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by City of Lake Alfred, Florida, (the “City”) Ordinance No. 1471-21 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The County adopted the Ordinance on January 24, 2022, and rendered it to the Department on February 2, 2022.
3. The Ordinance amends the City’s recently revised Unified Land Development Code to clarify existing provisions and to add additional language to comply with new statutory requirements for home-based businesses, building design elements, Master Planned Communities, and solar facilities. The Ordinance makes the following changes:
  - Article 2, *Districts Standards*, is revised to clarify requirements for measuring and parking setbacks, finished floor elevation, building and architectural elements, aquifer recharge areas, and uses and zoning provisions. The revisions clarify that upland buffers are separate from required setbacks, and that additional impervious surface per lot shall be allowed under specific circumstances.
  - Article 3, *Use provisions*, is revised to relocate existing use rules for outdoor displays, storage, location, buffers, and night operations under a new Section 3.1.5, *Rules for All Uses*. Residential Density, Community Oriented Development Standards, Accessory Dwelling Unit, Master Planned Community Standard Codes, Home-Based Businesses, and Sales and Storage of Gases provisions are also added under Article 3.
  - Article 4, *Site Development Standards*, amends lighting zone and design provisions.

- Article 7, *Resource Protection Standards*, removes provisions for upland buffers and adds language to clarify that no retention structures are permitted in the upland buffers.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* section 380.05(6), Florida Statutes; *See also* Chapter 28-26, Florida Administrative Code.
  5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
  6. The Ordinance is consistent with the County’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, with Objective 1.3, Policy 1.3.1, Policy 1.3.2, Policy 1.3.3, and Policy 1.3.4.
  7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. *See* section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in subsection 28-26.003(1), Florida Administrative Code.
  8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any of the Principles for Guiding Development.
- WHEREFORE, IT IS ORDERED that the Department finds that City of Lake Alfred Ordinance No. 1471-21 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby **APPROVED**. This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/ James D. Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230, AGENCY.CLERK@DEO.MYFLORIDA.COM

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 31st day of March 2022.

/s/ Jaiden Foss, Jaiden Foss, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Nancy Z. Daley, Mayor, City of Lake Alfred, 155 East Pomelo Street, Lake Alfred, Florida 33850

Ryan Leavengood, City Manager, 155 East Pomelo Street, Lake Alfred, Florida 33850

Amee Bailey, Community Development Director, 120 East Pomelo Street, Lake Alfred, Florida 33850

Fredrick J. Murphy Jr., City Attorney, 245 South Central Avenue, Bartow, Florida 33830

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Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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