

INTEROFFICE MEMORANDUM

INFORMATION
HSES 03-016

DATE: October 29, 2003

TO: County Health Department Directors/Administrators
ATTN: Environmental Health and Engineering Directors

THROUGH: Lisa Conti, D.V.M., M.P.H., Dipl. AC/PM, Director
Division of Environmental Health *LAC*

FROM: *Gerald Briggs*
Gerald Briggs, Chief, Bureau of Onsite Sewage Programs

SUBJECT: Operating Permits for Existing Commercial Wastewater Establishments

INFORMATION ONLY

Commercial Sewage Waste is defined in rule 64E-6.002(13), FAC, as "Non-toxic, non-hazardous wastewater from commercial facilities. Examples of establishments included in this definition are commercial and institutional food operations, commercial laundry facilities with no more than 4 machines, and animal holding facilities." The DEP and DOH Interagency Agreement For Onsite Sewage and Disposal Systems (Sept. 10, 2001) includes beauty salons as a further example of a commercial wastewater generator.

The Department of Health manual DOHM 150-04, Section VI, page K 6, h., outlines that "Establishments that generate commercial sewage waste shall have an annual operating permit if they opened on or after July 1, 1998. Existing establishments that generate commercial sewage waste shall have an annual operating permit if they change ownership, change the sewage flow, or if the system requires a repair of their existing OSTDS."

Please note, that rule 64E-6.001(4), FAC, requires 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. If the county health department questions that the existing system could have been permitted for the existing use, the burden of proof is on the applicant. Without such documentation, the capacity of the facility is limited to the lot flow allowance.

Three situations (ownership change, change in sewage flow, or a repair) would require the issuance of an operating permit in existing establishments:

Ownership Change. When there is no failure of the system and no change in sewage flow, handle as an existing system evaluation. Verify that the system is not in failure, check all setbacks, be sure the drainfield is not paved over, and have all tanks pumped and certified. If these elements are satisfactory, issue an operating permit.



Change In Sewage Flow. 64E-6.001(4)(d), FAC, requires that any increase in commercial sewage flow requires the OSTDS to be brought up to current rule specifications. When this is achieved, issue an operating permit.

System Repair. If the OSTDS is failing the system must be repaired to the specifications in 64E-6.015, FAC. When this is achieved, issue an operating permit.

In all instances, any commercial system out of service for more than one year must be brought up to current rule specifications. When this is achieved, issue an operating permit.

Evaluation of an existing system for an operating permit is covered by the operating permit fee. Appropriate fees should be charged for any subsequent construction permitting.

If there are any questions regarding this memorandum please contact your area program consultant at our Tallahassee office (850)245-4070, SunCom 245-4070 or Orlando office (407) 317-7325 / 7327, SunCom 344-7325 / 7327.