Enhanced Nutrient-Reducing Onsite Sewage Treatment and Disposal Systems (ENR-OSTDS) for Areas Impacted by House Bill (HB) 1379, Laws of Florida Chapter No. 2023-169 (June 2023)

During the 2023 legislative session, the Florida Legislature passed House Bill (HB) 1379, Laws of Florida Chapter No. 2023-169, which specifies areas (impacted areas) in the state where Enhanced Nutrient-Reducing Onsite Sewage Treatment and Disposal Systems (ENR-OSTDS) are required instead of conventional septic systems starting July 1, 2023.

In addition, within the Indian River Lagoon Protection Program, starting January 1, 2024, new system applicants must install an ENR OSTDS on all property sizes. By July 1, 2030, all systems in that area must connect to centralized sewer or install an ENR OSTDS or other wastewater treatment system that meets 65% nitrogen reduction.

Which new OSTDS (aka septic system) permits are affected?

People who are required to apply for a new septic system (OSTDS) permit serving a property in specific regions of the state ("impacted areas") will be affected by this legislation. Specifically, people applying for a new system construction permit for an OSTDS (aka "septic system") on a lot of one acre or less and within an "impacted area" will not be allowed to install a conventional septic system (septic tank and drainfield). Instead, they must install a special system referred to as an enhanced nutrient-reducing onsite sewage treatment and disposal system (ENR-OSTDS). This requirement became effective on July 1, 2023.

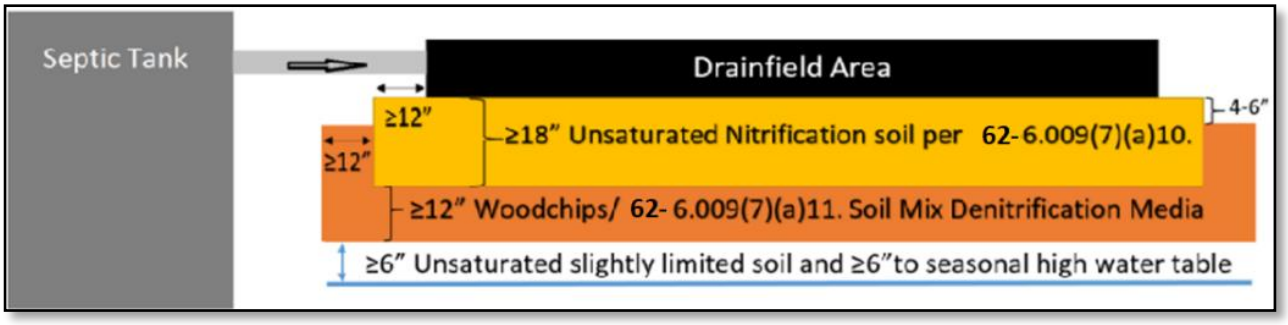
See the BMAPs and Alternative Restoration Plans - OSTDS Requirements mapping tool to determine if a lot is in an impacted area, and refer to DCEH 19-004 to find out when a new system construction permit is required by Chapter 62-6, Florida Administrative Code (F.A.C.)

What Florida Department of Environmental Protection (DEP)-approved ENR- OSTDS exist?
Enhanced nutrient-reducing options include in-ground nitrogen-reducing biofilters (INRBs), nitrogen-reducing (NSF 245-certified) aerobic treatment units, and nitrogen-reducing Performance-Based Treatment Systems. Each option is described below.

In-Ground Nitrogen-Reducing Biofilters (INRBs)

- Include a nitrate-reducing filter layer below the drainfield with material that reacts with nitrate to reduce nitrogen in sewage by around 65 percent.
- Do not require a maintenance contract and operating permit.

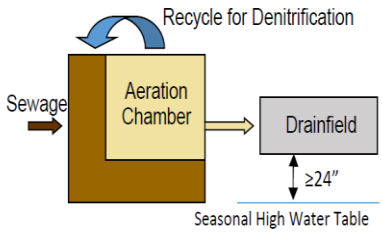
Rule 62-6.009(7), Florida Administrative Code (F.A.C.), provides standards for inground nitrogen-reducing biofilters. The image below shows the option without liner. There are also two engineer-designed options with liners.



Nitrogen-Reducing (NSF-245 certified) Aerobic Treatment Units (ATU)

- Require a maintenance contract and operating permit from the county health department.
- Are certified to NSF International Standard NSF-245 as capable of providing at least 50 percent nitrogen reduction under test center conditions before treated wastewater is discharged to the drainfield.
- For *all new construction permits* or repairs or modifications with 24" of separation between the bottom of the drainfield and the wet season water table, any Florida-approved NSF 245 can be used to meet ENR-OSTDS requirements to meet the 65 percent overall nitrogen reduction standard, including the drainfield.
- When installed with less than 24" between the bottom of the drainfield and the seasonal high water table as allowed by Chapter 62-6, Florida Administrative Code (F.A.C.), for some repair and modification permits, the ATU model must be capable of reducing nitrogen by at least 65 percent before discharge to the drainfield (as provided by the "Average Nitrogen Reduction" column in the NSF 245 listing linked below).

For a list of DEP-approved, NSF 245-certified aerobic treatment units, see the NSF 245 Certified Aerobic Treatment Units online listings.



Nitrogen-Reducing Performance-Based Treatment Systems (PBTS)

- Vary widely, but sometimes include a nitrogen-reducing aerobic treatment units and other components.
- Must be engineer-designed and require a maintenance contract and operating permit.
- For *all new construction permits* or repairs or modifications with 24" of separation between the bottom of the drainfield and the wet season water table, any Florida-approved nitrogen-reducing PBTS can be used to meet ENR-OSTDS requirements to meet the 65 percent overall nitrogen reduction standard, including the drainfield.
- When installed with less than 24" between the bottom of the drainfield and the seasonal high water table as allowed by Chapter 62-6, F.A.C., for some repair and modification permits, the nitrogen-reducing PBTS model must be capable of reducing nitrogen by at least 65 percent before discharge to the drainfield (as provided by the "TN Removal" column in the nitrogen-reducing PBTS listing linked below).

For a list of DEP-approved, nitrogen-reducing Performance Based Treatment System components and associated nitrogen-reduction data, see the nitrogen reducing Performance-Based Treatment Systems Testing Performance online listings.