



# **PUBLIC WORKSHOP:**

## **CHAPTER 62-6, F.A.C.**

### **SEPTIC TANK CONTRACTOR REGISTRATION AND OTHER UPDATES**

**David Frady, Eb Roeder, Tanya Welborn**  
Division of Water Resource Management  
Onsite Sewage Program  
Florida Department of Environmental Protection

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# WORKSHOP AGENDA

- Opening comments.
- Background.
- Overview of draft rule language.
- Next steps of the rulemaking process.
- Adjourn.







# OPENING COMMENTS

Public Workshop: Chapter 62-6, F.A.C.





# HOUSEKEEPING ITEMS

## GOTOWEBINAR

### CALL TO ORDER

- Today's workshop was noticed in the Florida Administrative Register (F.A.R.).
- The workshop will be recorded.

### MEETING LOGISTICS

- There are two ways to use audio during the meeting:
  1. **Via computer speakers:** select "computer audio."
  2. **Via telephone:** Select the phone call option AND enter the nine-digit access code followed by #. Press \*6 to unmute your audio.

***\*We are unable to assist you with technical issues during the meeting.\****

- The webinar will be recorded and posted online at:  
<https://floridadep.gov/water/water/content/water-resource-management-rules-development>.

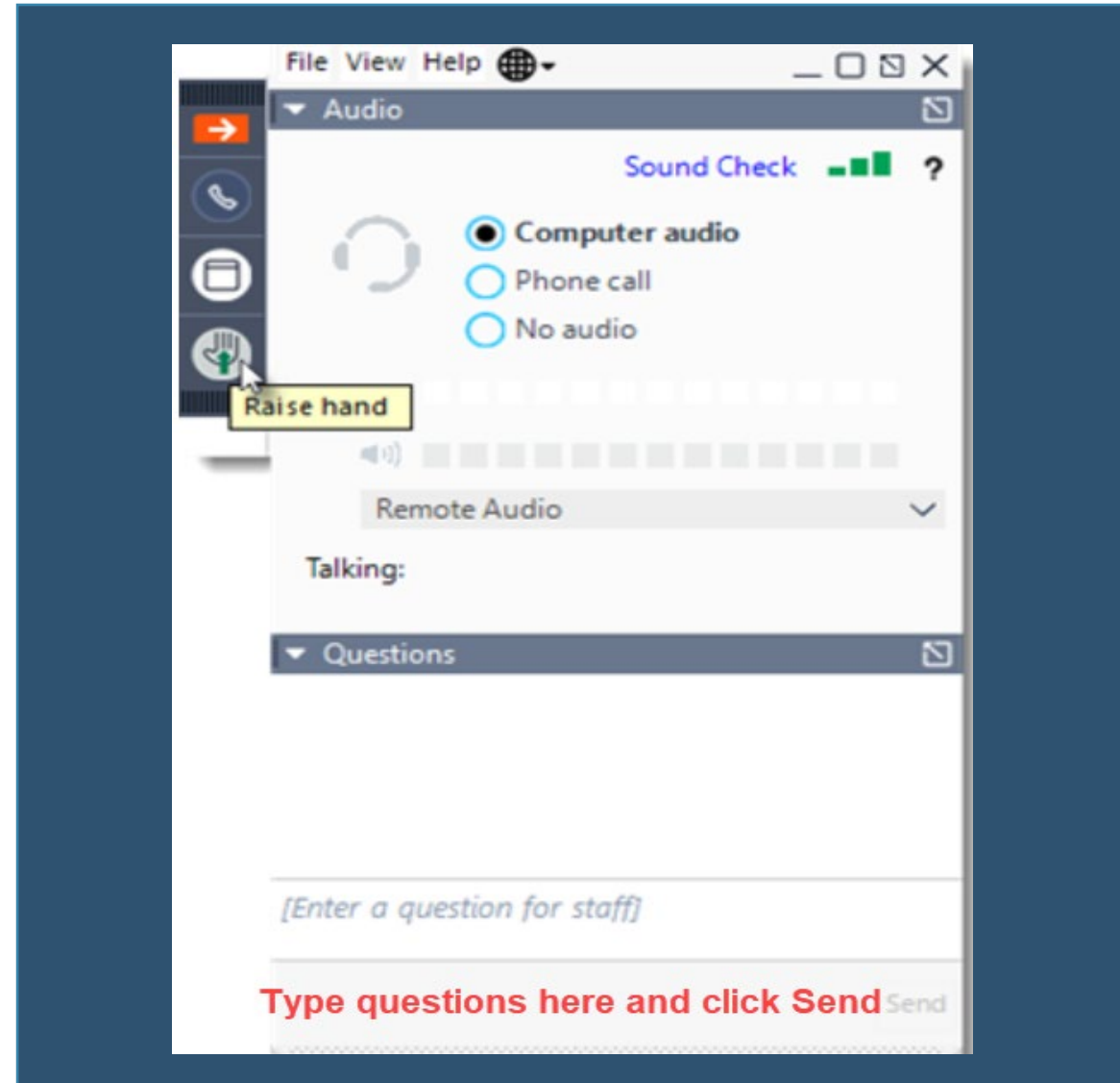


# HOUSEKEEPING ITEMS (2)

## GOTOWEBINAR

### PUBLIC COMMENTS

- All attendee **telephones and microphones will be set to mute** to reduce distractions.
- To ask a question during the public comment period, “**raise your hand**” by clicking the **raise hand icon**. The hand will turn **green** to signify the action. Click the hand again to lower your hand.
- Type questions in the “**Questions**” pane.





# WORKSHOP PURPOSE

- **Present draft rule language.**
  - Draft rule language can be found at:  
<https://floridadep.gov/water/water/content/water-resource-management-rules-development#onsite>.
  - Today's version is only a draft; no changes will become effective until a final rule is adopted.
- **Receive comments on current draft rule language.**





# BACKGROUND

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# BACKGROUND

## STATUTORY CHANGES

- 2023 House Bill (HB) 1379 established enhanced nutrient reducing (ENR) system requirements.
- 2024 HB 1557:
  - Moved enforcement authority from Chapter 381, Florida Statutes (F.S.) to Chapter 403, F.S.
  - Authorized rulemaking to establish a program of general permits.

## IMPROVEMENTS

- Identify areas where rules can be clarified and processes can be improved.

## ORGANIZATIONAL CHANGES

- Septic tank contractor registration is administered by the Florida Department of Environmental Protection's (DEP's) Operator Certification Program.





# OVERVIEW OF DRAFT RULE LANGUAGE

Public Workshop: Chapter 62-6, F.A.C.





# OVERVIEW OF DRAFT RULE LANGUAGE

## UPDATES TO EXISTING RULES

- Section 62-6.004, F.A.C., Application for System Construction Permit.
- Section 62-6.005, F.A.C., Location and Installation.
- Section 62-6.011, F.A.C., Abandonment of Systems.
- Section 62-6.013, F.A.C., Construction Material and Standards for Tanks.
- Section 62-6.019, F.A.C., Requirements for Registration.
- Section 62-6.020, F.A.C., Registration to Become a Master Septic Tank Contractors.
- Section 62-6.021, F.A.C., Issuance and Renewal of Annual ~~Registration Certificates and Renewal.~~
- Section 62-6.022, F.A.C., ~~Standards of Practice and Disciplinary~~ Standards ~~Guidelines.~~
- Section 62-6.023, F.A.C., Certification of Septic Tank Contracting Partnerships and Corporations.
- Section 62-6.030, F.A.C., Fees.





# OVERVIEW OF DRAFT RULE LANGUAGE (2)

## UPDATES TO EXISTING FORMS

- DEP 4015 Application for System Construction Permit.
- DEP 4075 Application for Septic Tank Contractor Registration.
- DEP 4076 Application for Septic Tank Contractor Registration Renewal.
- DEP 4077 Application for Certificate of Authorization.
- DEP 4115 Application for Septic Tank Contracting Course Approval.
- DEP 4116 Application for Septic Tank Contracting Course Provider.

## NEW FORM

- Application for Registered or Master Septic Tank Contractor Registration Examination.

## INCORPORATED REFERENCES

- Requirements for Continuing Education Courses and Course Providers.



# RULE 62-6.004, F.A.C.

## APPLICATION FOR SYSTEM CONSTRUCTION PERMIT

- Clarifies rule language.
- Updates application form.
- Allows drawing of one-acre sub-area for lots of at least two acres (instead of five acres).
  - Mean high water line (MHWL) can only be determined by surveyors in conjunction with DEP. Mean annual flood line (MAFL) can only be determined by DEP personnel or surveyors.
  - Current rule requires surface water boundary (MAFL or MHWL) determination if surface water body is on a property smaller than five acres; this would change to two acres.
- Makes permit application process consistent with permitting processes in other DEP regulatory programs.





# Comments



# **BACKGROUND: RULE 62-6.005, F.A.C.**

## **LOCATION AND INSTALLATION**

### **LOTS PLATTED BETWEEN JAN. 1, 1972 AND JAN. 1, 1983**

- Section 381.0065(4)(g)1., F.S., directs DEP to permit residential lots platted between Jan. 1, 1972, and Jan. 1, 1983, to the maximum extent possible under current standards if the parcel was eligible for an OSTDS permit at the time of platting.
  - Historically, DEP has determined the “maximum extent possible” through the variance process outlined in Chapter 381, F.S.

### **LOTS PLATTED SINCE JAN. 1, 1983**

- Minimum lot size of 0.5 acre for properties using private or limited use wells, and 0.25 acre (no more than four lots per acre) for properties using public water supply (Section 381.0065(4)).
- Minimum Setback to private potable well is 75 feet (Chapter 62-6.005, F.A.C.).

### **2020**

- Chapter 2020-712, Laws of Florida, allowed DEP to establish setback distances that differ from distances previously established in statute.





# RULE 62-6.005, F.A.C.

## DRAFT CHANGES

- Clarifies rule language.
- Streamlines the permitting process for lots platted between 1972 and 1983 by allowing permitting on such lots with an ENR system if the area or width of the lot is the only barrier to issuing a permit.
- Allows permitting on lots with performance-based treatment systems (PBTs) designed to meet advanced secondary treatment standards if private potable well setbacks of 50 feet and existing allowances for PBTs are met.



# Comments





# RULE 62-6.011, F.A.C.

## ABANDONMENT OF SYSTEMS

- Clarifies rule language.
- Establishes a general permit (GP) alternative for abandonment of an onsite sewage treatment and disposal system (OSTDS).
  - The GP would replace the existing construction permitting process if this alternative is chosen.
  - The contractor would submit to DEP a Notice of Intent (NOI) to abandon the system.
  - DEP would issue a GP (DEP 4011).
  - The contractor would document each of the required steps with digital photographs.
  - Upon receipt of complete documentation, DEP would acknowledge completion of the abandonment under the GP.
  - No onsite inspection by DEP will be required unless the GP application and supporting documentation is incomplete or otherwise indicates potential noncompliance with the rule.



# Comments





# **BACKGROUND: RULE 62-6.013, F.A.C.**

## **CONSTRUCTION MATERIAL AND STANDARDS FOR TANKS**

### **TANK LEGENDS**

- Tank manufactures must cast or stamp “at the place of manufacture” designated approval numbers specific to the individual tank (tank legend) for each tank installed.
- When a tank legend is incorrect or damaged, the tank must be sent back to the manufacturer because it cannot be restamped/recast in the field.
- Existing rules do not clearly address field removal of removable tank compartment walls when needed to supplement the tank size for a repair permit or modification.

### **ELECTRICAL CONDUIT REQUIREMENTS**

- A July 2022 Division of Administrative Hearings (DOAH) order found that DEP’s requirements that electrical lines go through conduits when penetrating a riser wall is unadopted rule.
  - “The electrical conduit and effluent dosing pipe must exit the dosing chamber:...2. When risers are used, the electrical line and the effluent dosing pipe may penetrate the riser wall provided...there is a soil-tight seal around the penetrations.” (Section 62-6.013(9)(b), F.A.C.).



# RULE 62-6.013, F.A.C.

## DRAFT CHANGES (1)

- Establishes a process for revising tank legends in the field.
  - Tank manufacturers would designate and train representatives authorized to revise tank legends in the field under certain circumstances.
  - Requires all revisions to be reported to DEP by the manufacturer or the manufacturer's representative within seven calendar days of completion.
  - Requires manufacturers to submit a summary report of approved tank legend revisions annually DEP.
- Allows removal of removable tank compartment walls necessary to supplement a tank's size under a repair or modification permit.





# RULE 62-6.013, F.A.C. (2)

## DRAFT CHANGES, CONT.

- Clarifies that language requiring water-tight riser penetrations also applies to aeration lines and vents.
- Adds language to define electrical conduit.
- Clarifies requirements for electrical conduit.
  - Rigid or flexible tubing used to enclose and protect electrical wiring.
  - All electrical wiring exiting a tank or riser must be enclosed in conduit.
  - Must be sealed on both sides to prevent venting of gases or transfer of water into the tank.
- Adds option to enter the tank through a notch cut at the bottom of a riser or at the top of a tank sealed with a compliant sealant.



# Comments





# CONTRACTOR CERTIFICATION AND BUSINESS AUTHORIZATION

Public Workshop: Chapter 62-6, F.A.C.





# OVERVIEW

- Updates and clarifies contractor registration and business authorization.
  - Uses processes and documentation similar to drinking water and wastewater operator certification.
  - Separates process into two steps:
    1. Apply for and take exam.
    2. Registered after meeting all requirements.
- Updates disciplinary guidelines for persons registered under Chapter 62-6, F.A.C., to make consistent with section 403.121, F.S.



# CURRENT RULE 62-6.019, F.A.C.

## REQUIREMENTS FOR REGISTRATION

- Establishes minimum qualifications for septic tank contractors.
- Requirements include a combination of experience (e.g., working under a certified contractor) and education.
- Requires passage of an exam covering the laws pertinent to and technical aspects of OSTDS.
- Documentation of all requirements must be submitted 21 days prior to exam date to be eligible to sit for the exam.



# RULE 62-6.019, F.A.C.

## DRAFT CHANGES

- Clarifies language on maintenance entities employing wastewater treatment plant operators.
- Implements a two-step process for the septic tank contractor examination.
  - Allows an applicant to apply to sit for the exam at any time; could test before having met other requirements (Form DEP 4074).
  - A passing score is valid for five years.
  - Requires septic tank contractor to pass the exam and meet experience and moral character requirements to become registered.
- Removes certain documentation requirements for the Certified Contractor exam registration.
  - Copies of 25 recent contracts.
  - Two signed statements from customers.
  - Tax documents to confirm employment.





# RULE 62-6.019, F.A.C. (2)

## DRAFT CHANGES, CONT.

- Modifies experience requirements for registration.
  - Shift from three years to 6,000 hours.
  - Can be verified by a registered or master septic tank contractor or plumber.
    - Removes requirement that the verification come from employer.
  - Related experience can be up to 4,000 hours.
  - Out-of-state licensure, if acceptable, would be counted as 2,000 hours per 365 days of licensure.
  - Ratio of 33 work hours per hour of coursework, up to a maximum of 4,000 hours.
- Requires applicant to provide a certified state of Florida criminal history record check.
- Applicant would indicate whether they will authorize a septic tank contracting service.



# CURRENT RULE 62-6.020, F.A.C.

## MASTER SEPTIC TANK CONTRACTORS

- Details the requirements for eligibility to register and sit for the master contractor exam.
  - Must be a certified septic tank or plumbing contractor.
  - Active status for at least three consecutive years (no more than 60 days inactive).
  - Must not have been assessed more than \$500 in administrative penalties by DEP in the three years immediately preceding the date of application.
  - No unresolved fines, disciplinary actions or criminal convictions related to contracting.
  - Completion of 30 hours of approved coursework covering soil classification, system design, materials, construction standards and regulations.



# RULE 62-6.020, F.A.C.

## DRAFT CHANGES

- Two-step process: first exam, then registration.
  - Clarifies coursework requirements.
  - Exam result is valid for five years.
- For registration:
  - No final agency enforcement actions in the last three years.
  - Must provide a certified state of Florida criminal history record check.
    - Requires equivalent record check from other states where experience is claimed.
- A master septic tank contractor can revert to registered status if they do not complete enough continuing education, or as part of an enforcement action, rather than losing their status entirely.
- Requires master contractors who allow their certificates to become inactive for more than five years to start over.
- Moves renewal to rule 62-6.021, F.A.C.





# CURRENT RULE 62-6.021, F.A.C.

## ISSUANCE OF REGISTRATION CERTIFICATES AND RENEWAL

- Registered septic tank contractors must complete 12 classroom hours of DEP-approved instruction within the previous 12 months to renew registration; 18 hours for master septic tank contractors.
  - Up to six extra hours can be rolled over to the next year's renewal.
- Photograph requirement: passport photo required every five years.



# RULE 62-6.021, F.A.C.

## DRAFT CHANGES

- Changes the title to, “Issuance and Renewal of Annual Registration.”
- Removes requirement to submit a passport photograph every five years.
- Moves master septic tank contractor renewal language in rule 62-6.020, F.A.C., to rule 62-6.021, F.A.C., (both renewal types in same rule).
- Requires contractor to have maintained good moral character.
- Updates language in the incorporated “Requirements for Septic Tank Contracting Continuing Education Courses and Course Providers.”



# Comments





# RULE 62-6.022, F.A.C.

## STANDARDS OF PRACTICE AND DISCIPLINARY GUIDELINES

- Establishes disciplinary standards for professionals registered under Chapter 62-6, F.A.C.
- Change title to, “Disciplinary Standards.”
- Brings penalty assessments in line with rule 403.121, F.S.
  - Fine for first offense is raised from \$500 to \$2,000.
- Removes honoring a warranty and having committed a crime from standards.
- Applies inspection report falsification to private provider inspectors.
- Adds falsification of site evaluation or existing system repair evaluation.
- Limits assessing enhanced penalties for repeat violations to violations that were adjudicated within the preceding five years.
- Requires maintenance of good moral character.



# Comments



# CURRENT RULE 62-6.023, F.A.C.

## CERTIFICATION OF PARTNERSHIPS AND CORPORATIONS

- Establishes the process for a corporation, partnership, association or person practicing under a fictitious name to offer septic tank contracting services to the public.
- A contractor operating under their own name is not required to register a certificate of authorization.





# RULE 62-6.023, F.A.C.

## DRAFT CHANGES

- Clarifies that a subsidiary or parent business organization needs its own certificate of authorization if providing septic tank contracting services separate from parent or subsidiary authorized business.
- Clarifies that a registered contractor practicing under his or her own given name may not also qualify another business organization.
- Clarifies that authorized business organizations may conduct business under fictitious names which are registered with the Florida Department of State Division of Corporations and with DEP.
- Clarifies that a business organization must apply for a new certificate of authorization when it operates under another fictitious name or is unable to operate under the previous fictitious name.
- Requires separate certificates of authorization when operating under multiple fictitious names.



# Comments



# RULE 62-6.030, F.A.C.

## DRAFT CHANGES

### FEES

- Displays fees already set in “Policy on Requirements for Septic Tank Contracting Continuing Education Courses and Course Providers,” but not already included in fee schedule.





# NEXT STEPS

Public Workshop: Chapter 62-6, F.A.C.





# NEXT STEPS

- **Written comments must be received within 28 days of this meeting (through Jan. 2, 2026).**
  - Email comments to [Tanya.Welborn@FloridaDEP.gov](mailto:Tanya.Welborn@FloridaDEP.gov).
- Public comments will be collected and reviewed.
- Comments and responses will be published at <https://floridadep.gov/water/water/content/water-resource-management-rules-development#onsite> after the public comment period closes.
- DEP may revise the draft rule.
- DEP will publish a Notice of Proposed Rule (NOPR).
- If there are no changes after the NOPR, DEP will file a certification package, and the rule would become effective 20 days after filing.





# THANK YOU

## THE MEETING HAS ENDED.

Written comments can be submitted via email within 28 days of this meeting (through Jan. 2, 2026) to:

**[Tanya.Welborn@FloridaDEP.gov](mailto:Tanya.Welborn@FloridaDEP.gov)**