

# **Innovative System Permit Requirements**

(May 31, 2018)

Under Florida Law and Florida Department of Health (Department) jurisdiction, Onsite Sewage Treatment and Disposal Systems (OSTDS) and all their components installed in the State are regulated by Chapter 64E-6, Florida Administrative Code (FAC). An innovative system is defined by Florida Statutes, Section 381.0065(2), as:

“an onsite sewage treatment and disposal system that, in whole or in part, employs materials, devices, or techniques that are novel or unique and that have not been successfully field-tested under sound scientific and engineering principles under climatic and soil conditions found in this state.”

Information on OSTDS Innovative System Permits (ISP) and other applicable regulations can be obtained by clicking on the following link to the [Onsite Sewage Program](#), or visiting our website at <http://www.floridahealth.gov/healthy-environments/onsite-sewage/index.html>.

## **Who would apply for this permit?**

The owner or developer of the innovative technology who is seeking to have the technology accepted for use in Florida.

## **How do I apply for a Permit?**

To obtain the form necessary to apply for an ISP, you can click the following link to find the appropriate [Onsite Sewage Treatment and Disposal Application Forms](#).

## **What is the permit application process?**

The Department offers the following tips for completing the ISP application process:

- A one-time ISP is obtained from the [Onsite Sewage Program](#). This permit will allow a limited number of innovative systems to be installed and monitored during a limited period. Individual system construction permits for each innovative system to be installed, must be obtained from the local county health department's (CHD) Environmental Health office.
- The ISP application, Form DH 3143, is available at <http://www.floridahealth.gov/healthy-environments/onsite-sewage/forms-publications/documents/dh3143.pdf>.
- Be sure to complete all application fields and ensure that all necessary information is accurate and legible in order to process as quickly as possible. If the application is incomplete, the permitting process is put on hold until all the required information is received. *A complete application contains all information required by Chapter 64E-6, FAC.*
- The application and the supporting information requested in the application, shall be signed, dated and sealed by an engineer, licensed in Florida.
- An application for innovative product approval fee in the amount of \$2,500.00 is required. Checks can be made out to the Department of Health.
- In addition to the data required in application items A, C and D, please provide testing data to address the requirement of Rule 64E-6.026(1)(b), FAC. Testing data must be by a third-party testing organization approved through the National Sanitation Foundation (NSF) Environmental Technology Verification (ETV) program. Technology and

innovative system manufacturers have used testing results obtained at NSF-test facilities in the past to address this requirement.

- Please indicate the number of innovative systems and the testing time-period you are requesting for your ISP.
- Please provide a monitoring (sampling and analysis) protocol and compelling evidence that your proposed system will perform properly and reliably, required in Rule 64E-6.026(1) (a) and (b), FAC. The protocol must include a mechanism for assessing performance by comparing sewage influent and effluent strength and system failure frequency.
- Please provide an operation and maintenance manual.
- Please provide design and installation criteria for the different treatment units (item C of the application form).
- Please provide a copy of the system or product warranty (item F of the application form).

### **What happens after the permit application is submitted to the Onsite Sewage Program?**

Once a complete application is received, the Onsite Sewage Program has certain timeframes required by statute for reviewing the application and issuing the ISP. Once you have an ISP for the technology, site-specific OSTDS construction permit applications must be made to the local CHD and a construction permit issued for each individual OSTDS.

For information on how to apply for a system construction permit at the CHD, please refer to the OSTDS Permit Application Information document located at <http://www.floridahealth.gov/environmental-health/onsite-sewage/documents/ostds-app-form-info.docx>. Please note that in this step, a homeowner acknowledgment form (<http://www.floridahealth.gov/healthy-environments/onsite-sewage/forms-publications/documents/dh3144.pdf>) wherein the homeowner acknowledges the fact that he/she is having a system featuring innovative technology installed is also required.

### **Additional Information**

An innovative system is statutorily categorized as engineer-designed performance-based treatment system (PBTS), and will require an operating permit, maintenance agreement and maintenance contract.

At the end of the innovative system evaluation period, in accordance with Rule 64E-6.0295, FAC, there is a reclassification and review of the gathered data. For a treatment system, the result of this reclassification could lead to a status of non-innovative performance-based treatment system.

The treatment receptacles that may house proposed innovative system unit(s) must be approved for use in the state of Florida. Rule 64E-6.013, FAC pertains to the construction materials and standards for treatment receptacles. This process could occur concurrently with the review of an innovative permit application.

### **Who can I contact to answer additional questions?**

If you have specific questions about the ISP process, please contact the Onsite Sewage Program office at 850-245-4070.

For other general OSTDS permitting questions, please contact the CHD Environmental Health office in your county. Find an office [here](#).