

CHAPTER 2025-165

Senate Bill No. 796

An act relating to general permits for distributed wastewater treatment systems; amending s. 403.814, F.S.; defining terms; authorizing the Secretary of Environmental Protection to grant a general permit for the replacement of an existing onsite sewage treatment and disposal system with a distributed wastewater treatment system under certain circumstances; providing for the installation of distributed wastewater treatment units to proceed without any further action by the Department of Environmental Protection if a permittee submits a notification to the department at least a specified number of days before installation; providing requirements for such notification; requiring such a permittee to take specified actions for distributed wastewater treatment units they install; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (13) is added to section 403.814, Florida Statutes, to read:

403.814 General permits; delegation.—

(13)(a) For the purposes of this subsection, the term:

1. “Distributed wastewater treatment system” or “DWTS” means an integrated system approach to treating wastewater consisting of one or more distributed wastewater treatment units.

2. “Distributed wastewater treatment unit” or “DWTU” means an advanced onsite closed-tank wastewater treatment system that is remotely operated and controlled by the permittee using an electronic control system and designed to achieve secondary treatment standards and a minimum of 80 percent total nitrogen removal before discharge to a subsurface application system.

(b) A general permit is granted for the replacement of an existing onsite sewage treatment and disposal system, otherwise subject to s. 381.0065, with a DWTS if the DWTU and DWTS are commonly owned and operated by the permittee. Pursuant to obtaining this permit, the installation of each DWTU may proceed without further action by the department if the permittee submits a notification to the department at least 30 days before installation. Such notification must certify that a Florida registered professional designed the DWTU in accordance with applicable rules adopted pursuant to this chapter and that the proposed DWTU meets all of the following requirements:

1. The design capacity of the DWTU does not exceed 10,000 gallons per day of domestic wastewater or 5,000 gallons per day of commercial wastewater.

2. The DWTU may discharge without disinfection into a slow-rate subsurface application system designed and operated to protect public health and safety and maintain the current separation, and in no case has less than 12 inches of separation, between the bottom surface of the drainfield and the water table elevation at the wettest season of the year.

3. The horizontal setback distance from the DWTU and subsurface application system to property lines, surface waterbodies, potable water wells, and utilities is consistent with rules adopted under this chapter and s. 381.0065.

4. The permittee has legal access to maintain and operate the DWTU and remove the DWTU in case of termination of service.

5. The permittee has submitted a plan for conducting monthly effluent compliance sampling of a representative number of deployed DWTUs, the results of which may be aggregated to determine compliance with performance standards consistent with this subsection and the rules adopted under this chapter.

6. The operation of the DWTU does not:

a. Create saturated conditions on the ground surface;

b. Adversely impact wetlands or other surface waters; or

c. Cause or contribute to a violation of state water quality standards.

(c) The permittee shall:

1. Conduct monthly reporting, annual inspections, recordkeeping, and biosolids management for the DWTU consistent with the rules adopted under this chapter.

2. Schedule staffing and visitation by licensed operators for the DWTU in a manner that is consistent with the rules adopted under this chapter, except that visitation may be accomplished using an electronic control system.

Section 2. This act shall take effect July 1, 2025.

Approved by the Governor June 20, 2025.

Filed in Office Secretary of State June 20, 2025.