



# REVISIONS TO DEP'S COLLECTION SYSTEM REGULATIONS

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# AGENDA

- Background on rulemaking.
- 2021 revisions.
- 2022 draft revisions.
- Questions.



# BACKGROUND ON RULEMAKING

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# SENATE BILL 712 RULEMAKING

## **Chapter 2020-150, Laws of Florida (aka Senate Bill [SB] 712 or the Florida Clean Waterways Act).**

- Directed DEP to adopt rules to reasonably limit, reduce and eliminate collection system inflow and infiltration, and leakages.
- Required an annual report on expenditures on pollution mitigation and prevention (i.e., preventing sanitary sewer overflows [SSOs], inflow and infiltration and leakages).
- Required a power outage contingency plan for collection systems/pump stations.
- Required a pipe assessment, repair and replacement plan.
  - Required a minimum amount of system assessment every five years and an annual report.



# SB 712 RULEMAKING (2)

## RULES REVISED

- Chapter 62-604, F.A.C., Collection Systems and Transmission Facilities.
  - Key revisions were made to the operation and maintenance section; reporting SSOs (effective Oct. 4, 2021).
- Chapter 62-620, F.A.C., Wastewater Permitting.
  - Key revisions were made for reporting unauthorized discharges, bypasses and SSOs (effective Sept. 14, 2021).
- Chapter 62-600, F.A.C., Domestic Wastewater Facilities.
  - Key revisions included new Rule 62-600.705, F.A.C., which added power outage contingency plans and “collection system action plans” for facility collection systems (awaiting ratification).



# CURRENT RULEMAKING

## CHAPTER 62-604, F.A.C.

### **Rulemaking goal: clarify, refine and simplify rules.**

- Simplifying the requirements related to minimizing infiltration and inflow/preventing SSOs.
- Providing further clarifications.
  - Older pump stations.
  - Surface water sampling.
  - Reporting.
- Providing better support for resiliency.





# 2021 REVISIONS

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# CHAPTER 62-620, F.A.C.

## **Revised requirements in section 62-620.610(20), F.A.C., for reporting noncompliance that is included in every wastewater facility permit.**

- Added SSO language, items needed for U.S. Environmental Protection Agency (EPA) eReporting of SSOs and other unauthorized discharges and items needed for annual DEP legislative report.
- Added public notice of pollution (PNP) reporting requirements for spills/discharges reported to the State Watch Office.
- Added electronic reporting requirements (five-day follow-up report).
- Clarified the reporting of unauthorized discharges of public access or potable reclaimed water to ground water.





# CHAPTER 62-600, F.A.C.

## **Rule 62-600.200, F.A.C. – Added definitions to support new rule provisions.**

- “Infiltration” – ground water that seeps into the system through cracks, defective joints, etc., during high ground water periods.
- “Inflow” – surface water and stormwater that enters the system from drainage, manhole covers, etc., typically during wet weather.
- “Leakage” (i.e., exfiltration) – wastewater that leaks into the surrounding soil from cracks, defective joints, etc.
- “Sanitary sewer lateral” – the connection from a building to the sewer, typically privately owned).
- “Sanitary sewer overflow” – overflow, spill, release, etc., from a collection system.
- “Satellite collection system” – system owned or operated by an entity other than the entity that owns the wastewater treatment facility.



## CHAPTER 62-600, F.A.C. (2)

### **Added “collection systems” into existing planning, operation and maintenance requirements.**

- Section 62-600.405(1), F.A.C. – Added “collection” of wastewater to the items that must be timely planned, designed, and constructed.
- Section 62-600.405(2), F.A.C. – Required that collection system flows be routinely reviewed as part of the pipe assessment, repair, and replacement action plan required in the new Rule 62-600.705, F.A.C. **\*AWAITING LEGISLATIVE RATIFICATION\***
- Section 62-600.410(3), F.A.C. – Added “collection” to the facilities and equipment necessary to be maintained to function as intended.
- Section 62-600.410(6), F.A.C. – Added a new provision specifying that all collection/transmission systems owned or operated by the facility or utility shall be maintained to provide uninterrupted service and to minimize infiltration, inflow and leakages in accordance with the revised Rule 62-604.500, F.A.C.





## CHAPTER 62-600, F.A.C. (3)

- Section 62-600.700(4), F.A.C. – Added a new provision requiring public utilities or their affiliated companies to file annual reports and other data for costs/expenditures on pollution mitigation and prevention among the utility's permitted systems, including prevention of sanitary sewer overflows, collection and transmission system pipe leakages, and inflow and infiltration; specifying report may be combined with annual report required by new section 62-600.705(2)(b), F.A.C., and must be submitted electronically.



# CHAPTER 62-600, F.A.C. (4)

## **Added a new rule – Rule 62-600.705, F.A.C. \*AWAITING LEGISLATIVE RATIFICATION\***

- Section 62-600.705(1), F.A.C. – Added a new requirement for wastewater facility permit applicants to submit a power outage contingency plan that mitigates the impacts of power outage on the facility’s collection system and pump stations (SB 712).
- Section 62-600.705(2), F.A.C. – Added new requirements for facilities to proactively prevent SSOs and pipe leaks.
  - Pipe assessment, repair and replacement plan.
  - Annual report for the plan.





## CHAPTER 62-600, F.A.C. (5)

- Section 62-600.705(2)(a), F.A.C. – Added a new requirement for facilities to develop pipe assessment, repair and replacement action plans (“collection system action plans”) with a five-year planning horizon (SB 712).
  - Required a deliberate, proactive approach for surveying the collection system in an economically feasible manner; at least 25% of the system should be investigated over the five-year planning horizon.
  - Required plan be based on inflow/infiltration studies, leakage surveys.
  - Also required plan to be based on any follow-up sanitary sewer evaluation surveys if inflow, infiltration or leakage is excessive.
  - Contact information for the plan.
  - Required plan to include a map and inventory of the system; facilities with permitted capacity of one million gallons per day or greater must have a geographic information systems (GIS) map and electronic inventory.



# CHAPTER 62-600, F.A.C. (6)

- Section 62-600.705(2)(a), F.A.C. (continued).
  - Included details and information as practicable (size, length, type of pipe, tracking number, age, service life, flows, topography, water table, rainfall data, complaints, overflows, etc.) for each component (pipe, manhole, pump stations, etc.).
  - Required a maintenance plan, protocols and record keeping.
  - Required plan to describe measures taken, if any, for limiting fats, oils, grease, roots and wet wipes.
  - Required the plan to describe measures taken, if any, to minimize infiltration and inflow from sanitary sewer laterals.
  - Required the plan to identify all satellite collection systems (effective Dec. 21, 2025) and to describe any measures taken, if any, to minimize infiltration and inflow from satellite collection systems.
  - Required the plan to describe measures taken, if any, for the resiliency of the collection system related to sea-level rise.





## CHAPTER 62-600, F.A.C. (7)

- Section 62-600.705(2)(b), F.A.C. – Required an annual report for the collection system action plan to be submitted electronically no later than June 30 each year that includes the following.
  - Summary of the assessments conducted (percentages of the collection system investigated, methods used, results and any estimates of the amounts of inflow, infiltration, leakages).
  - Significant repairs, replacements, maintenance activities, expansions and other upgrades; plans for the upcoming year.
  - Any new satellite collection systems (effective Dec. 21, 2025).
  - Annual expenditures on inflow, infiltration, leakage studies, pipe assessment, repair and replacement; limiting fats, oils, grease, etc.
  - Details of facility revenues and expenditures, including any deviation of annual expenditures from identified system needs.



## CHAPTER 62-600, F.A.C. (8)

- Section 62-600.705(3), F.A.C. – Provided for facilities to propose alternatives providing the same level of protection to the provisions in section 62-600.705(2), F.A.C.
- Section 62-600.705(6), F.A.C. – Required publicly owned satellite collection systems with flows of 100,000 gallons per day (gpd) or greater to have a collection system action plan.
- Section 62-600.720(1)(d), F.A.C. – Added a new provision to require facility emergency response plans to include cybersecurity for facilities greater than 500,000 gpd.



# CHAPTER 62-604, F.A.C.

**Chapter 62-604, F.A.C., primarily regulates the construction of collection systems but contains operational requirements for existing collection systems; the chapter is applicable to all public and private collection systems.**

- Rule 62-604.100, F.A.C. – Removed scope, intent and purpose provisions – these were previously identified in a rule review for rule reductions.
- Section 62-604.100(4), F.A.C. – Clarified that the rule does not apply to the permitting, design and construction of reclaimed water distribution lines.





## CHAPTER 62-604, F.A.C. (2)

### **Rule 62-604.200, F.A.C. – Added definitions to support new rule provisions.**

- “Infiltration” – ground water that seeps into the system through cracks, defective joints, etc., during high ground water periods.
- “Inflow” – surface water and stormwater that enters the system from drainage, manhole covers, etc., typically during wet weather.
- “Leakage” (i.e., exfiltration) – wastewater that leaks into the surrounding soil from cracks, defective joints, etc.
- “Sanitary sewer overflow” – overflow, spill, release, etc., from a collection system.
- “Satellite collection system” – system owned or operated by an entity other than the entity that owns the wastewater treatment facility.



# CHAPTER 62-604, F.A.C. (3)

- Section 62-604.300(2), F.A.C.
  - Updated some of the older guidance documents.
  - Added new guidance documents on inflow, infiltration, rehabilitation of sewers, etc.
- Section 62-604.300(3), F.A.C. – Revised the name and form number for the form used to place a new or modified system into operation.
  - Renamed to “Notification of Completion of Construction for a Domestic Wastewater Collection/Transmission System.”
  - Renumbered to DEP Form 62-604.300(3)(b), F.A.C.



## CHAPTER 62-604, F.A.C. (4)

### **Rule 62-604.500, F.A.C., is applicable to all new and existing collection systems and its requirements are implemented by rule.**

- Section 62-604.500(2), F.A.C. – Clarified that emergency pumping capabilities, etc., must be maintained for pump stations.
- Section 62-604.500(3), F.A.C. – Clarified that all components of the collection system must be maintained to function as intended.
- Sections 62-604.500(3)(b) and (c), F.A.C.
  - Required the collection system emergency response plan to specifically address cybersecurity, surface water monitoring for spills and hurricane/severe storm preparedness and response.
  - Required the collection system owner/operator to evaluate and update the emergency response plan annually.





## CHAPTER 62-604, F.A.C. (5)

- Section 62-604.500(5), F.A.C. – Required collection systems to be maintained to minimize infiltration, inflow and leakages (exfiltration).
  - Required corrective action when infiltration, inflow and leakages are excessive.
  - Infiltration and/or inflow is excessive when it causes or contributes to SSOs (e.g., when an SSO occurs because of wet weather).



## CHAPTER 62-604, F.A.C. (6)

- Section 62-604.500(6), F.A.C. – Required collection systems to be operated and maintained to prevent an SSO.
  - Required the owner/operator of a collection system to evaluate the cause as well as potential corrective actions for an SSO.
  - Required the owner/operator of a collection system to take corrective action when overflows are caused by excessive infiltration and inflow.
  - Also required the owner/operator of a satellite collection system to take corrective action when excessive infiltration and inflow in the satellite system causes or contributes to an overflow in the receiving collection system.



# CHAPTER 62-604, F.A.C. (7)

## **Rule 62-604.550, F.A.C. – Abnormal Events (i.e., SSO reporting).**

- Section 62-604.550(2)(a), F.A.C. – Revised to use current term, “State Watch Office.”
- Section 62-604.550(2)(b), F.A.C. – Updated the data to be reported; required electronic submittal of the five-day follow-up report.
  - Added items for the annual report to the legislature on SSOs and items from the EPA eReporting rule for SSOs.
  - Provides DEP Business Portal information for electronic reporting:  
<https://www.fldepportal.com/go/> (via “Submit” followed by “Report” or “Registration/Notification”).
- Section 62-604.550(2)(d), F.A.C. – Added the public notice of pollution reporting requirements (report anything that is reported to the State Watch Office).
  - Can use the DEP Business Portal or the Public Notice of Pollution website (<https://floridadep.gov/pollutionnotice>).





## CHAPTER 62-604, F.A.C. (8)

- Section 62-604.600(2)(a), F.A.C. – No longer allowed a “like-for-like” replacement of a pump station without obtaining a construction permit if the pump station being replaced does not meet the emergency pumping requirements of section 62-604.400(2), F.A.C.
- Section 62-604.600(2)(b), F.A.C. – Clarified that an individual service connection from a single-family residence does not need a collection system permit.



## CHAPTER 62-604, F.A.C. (9)

- Section 62-604.700(2), F.A.C. – Required submittal through the DEP Business Portal for permits issued by DEP (for permits issued by a delegated local program, the permittee shall follow the instructions of the delegated local program).
- Section 62-604.700(3), F.A.C. – Allowed system to be placed into operation three days after submittal of the form if there were no substantial deviations and if DEP did not notify the permittee of any concerns.
- Section 62-604.700(4), F.A.C. – Allowed system to be placed into operation ten days after submittal of the completion of construction form if there were substantial deviations unless DEP notified the permittee of concerns.



# REVISED FORMS

- Revised the application form, DEP Form 62-604.300(3)(a).
  - Available checklist for low pressure sewer systems.
  - Available checklist for vacuum sewer systems.
- Revised the form to put a new/modified system into operation, DEP Form 62-604.300(3)(b).
  - New title – “Notification of Completion of Construction for a Domestic Wastewater Collection/Transmission System.”
  - Requires electronic submittal through the DEP Business Portal.
  - Added the FLSS# number if there is an intermediate collection system to which the project is connected (e.g., the new system is connected to a satellite collection system that connects to a larger facility collection system).





# 2022 DRAFT REVISIONS

FSA 2022 Winter Conference





# SUMMARY OF PROPOSED REVISIONS

## **New rulemaking proposed for Chapter 62-604, F.A.C., to accomplish the following.**

- Simplify the provisions for minimizing inflow, infiltration and leakages (exfiltration).
- Simplify the provisions for preventing SSOs.
- Require the submittal of operation and maintenance (O&M) manuals to DEP and requiring annual updates of the O&M manuals.
- Require an electronic report to DEP for SSOs not required to be reported to the State Watch Office.
- Add a clarifying provision for surface water monitoring when SSOs impact surface waters.





## SUMMARY OF PROPOSED REVISIONS (2)

- Require the five-day follow-up written report for SSOs to be submitted electronically using the DEP Business Portal.
- Add resiliency provisions.
- Clarify that replacing a pump in a pump station will require a permit.



# RULE 62-604.130, F.A.C.

## Prohibitions.

- **Rule 62-604.130(5)(f), F.A.C.**

Adds a prohibition on a collection system receiving hazardous waste pharmaceuticals from healthcare facilities or reverse distributors in accordance with Rule 62-730.181, F.A.C.



# RULE 62-604.300, F.A.C.

## **General Technical Guidance, Related Rules and Forms.**

- **Sections 62-604.300(3)(a) and (b), F.A.C.**

Revises form references to allow updating of the forms to be consistent with proposed rules.



# RULE 62-604.400, F.A.C.

## Design/Performance Considerations.

- **Section 62-604.400(2)(a)1., F.A.C.**

Allows the in-place emergency pumping capability to be met by in-place, engine-driven pumping equipment.

- **Section 62-604.400(2)(e), F.A.C.**

Requires consideration of storm surge, sea level rise and resiliency measures, such as raised control panels and waterproof control enclosures, when designing pump stations.



# RULE 62-604.500, F.A.C.

## Operation and Maintenance.

- **Section 62-604.500(4), F.A.C.**

Requires a copy of a new or updated O&M manual to be submitted with the notification of completion of construction form.

- **Section 62-604.500(4)(c), F.A.C.**

Requires the O&M manual to be updated annually.

- **Rule 62-604.500(5), F.A.C.**

Revises the provision to eliminate “excessive” and corrective action language.

- **Rule 62-604.500(6), F.A.C.**

Removes “to the extent that is technically and economically feasible,” as well as removing “excessive” and its corrective action language.





# RULE 62-604.550, F.A.C.

## Abnormal Events.

- **Section 62-604.550(2)(b), F.A.C.**

Changes the oral report to an electronic report for spills less than 1,000 gallons and which do not endanger public health and the environment.

- **Section 62-604.550(2)(c), F.A.C.**

Requires the five-day follow-up written report to be submitted electronically through the DEP Business Portal.



# RULE 62-604.550, F.A.C. (2)

- **Section 62-604.550(3), F.A.C.**

Requires the owner/operator of a collection/transmission system to conduct bacteriological surface water quality monitoring for all unauthorized discharges to surface waters that endanger public health or the environment.

- The owner/operator shall contact the applicable DEP district office prior to initiating surface water monitoring.
- The owner/operator shall conduct the monitoring as soon as possible but no later than 24 hours after discovery of the unauthorized discharge.



# RULE 62-604.600, F.A.C.

## Procedure to Obtain Construction Permits.

- **Section 62-604.600(2)(a), F.A.C.**

Clarifies that the replacement of a pump at a pump station will require a permit if the pump station does not meet the requirements of section 62-604.400(2), F.A.C., i.e., emergency pumping capability.



# RULE 62-604.700, F.A.C.

## **Placing Collection/Transmission Systems into Operation.**

- **Sections 62-604.700(3) and (4), F.A.C.**  
Deletes the term, “delegated local program.”



# RULEMAKING ACTIVITY

## CHAPTER 62-604, F.A.C.

- A Notice of Rule Development was published July 29, 2022.
- A public workshop was held Aug. 31, 2022.
- Eight public comment submittals were received (comments were due Sept. 30, 2022).
  - Staff is currently reviewing the submitted comments.
  - Considering revisions to draft language.
- Possible Notice of Proposed Rule to be published in early winter.
- Rulemaking information, including the draft rule, workshop presentation and workshop recording, are available at DEP's [Water Resource Management Rules in Development](#) webpage.





# THANK YOU

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