

Dear Colleagues,

As a result of a recent appellate court decision, the following changes are in effect for the implementation of onsite sewage treatment and disposal system (OSTDS) remediation plans (Appendix D) of the Volusia Blue Spring, Silver Springs, Rainbow Springs, Suwannee River and Santa Fe River Springs Basin Management Action Plans (BMAPs) that were adopted in 2018:

Requirements for nitrogen-reducing systems for new OSTDS on lots of less than one acre within the priority focus area are temporarily not in effect and therefore cannot be enforced. These OSTDS remediation plans will not be in effect until these BMAPs are revised to address the court's ruling or pending legislation is enacted that will introduce new requirements to address OSTDS within BMAPs.

The appellate court decision became effective March 8, 2023. Permits issued on or after March 8th for a nitrogen-reducing system required by OSTDS remediation plans of the above-listed BMAPs may be amended to accept a conventional (not nitrogen-reducing) system. Please do not charge amendment fees.

Once the five BMAPs are reinstated, the OSTDS remediation plans are anticipated to remain unchanged from the 2018 version and therefore will require conventional OSTDS to be upgraded to nitrogen-reducing systems within a certain timeframe, giving such newly installed conventional systems a limited life span. The Department is working expeditiously toward readopting these five BMAPs, including the OSTDS remediation plan requirements. The Onsite Sewage Program will notify the Department of Health County Health Departments when we learn more about the timing of the reissuance of the five BMAPs. In the interim, the Department strongly encourages the installation of nutrient-reducing systems during this short gap in coverage.

If you have questions, please let us know.

Regards,

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Eberhard Roeder, Ph.D., P.E.

Onsite Sewage Programs Section Lead

Program Administrator

850-245-8402