SLUDGE REPORT

Third Edition, May 17, 2009

Update on Department of Health and your septic tank. Welcome to the third edition of the SLUDGE REPORT, brought to you by your friendly neighborhood coalition of Homeowner's Associations and friends whose common bond is common sense and common cause. The cause is stopping the Department of Health from making a rule mandating that all septic systems in the Wekiva Study Area (WSA) be replaced with electrically operated Performance Based Treatment Systems (PBTS). DOH states the purpose of the rule is to reduce nitrogen levels in the Wekiva Study Area - which encompasses 250+ square miles of land beginning in the north from an eastern point in Seminole County (west of Interstate 4), across (west) to portions of Lake County, then stretching south to Ocoee and Winter Garden pulling in all Orange County communities directly below the northernmost points. (We can send you a map if you are unsure about whether or not you are affected).

WRITE GOVERNOR CRIST TODAY! Ask him to sign Budget Line Item 471 into law. Respectfully request that he NOT Veto Line Item 471. Line Item 471 requires the Dept. of Health to complete a funded 2008 legislative mandate to study passive alternatives to PBTS. It prevents a state agency from adopting or implementing rules or policies regarding nitrogen-reduction limits for conventional septic systems until the Department of Health completes the authorized study. The study shall include recommendations on passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. The final report shall be submitted by May 1, 2010 to the Governor, the President of the Senate, and the Speaker of the House of Representatives **prior to proceeding with any nitrogen reduction activities**. **Google "OCINS" (Orange Co. News Information Service) for info.**

We are told that letters are better than e-mails. However, in favor of saving trees, we would like to ask the Governor's office to review incoming e-mails with the same consideration as hand stamped letters. For many citizens, e-mail is the preferred and "green" method of communication for them to voice their opinions.

MAILING ADDRESS
Office of Governor Charlie Crist
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

E-Mail: Charlie.Crist@eog.myflorida.com

Web site for more information: Our cause has been championed for years by the members of the Markham Woods Association. Access their web site for all materials that have been published and important details on recent developments. THANKS for taking a leadership role on behalf of all in the Wekiva Study Area!
www.markhamwoodsassociation.org

Governor Crist on the 2009-2010 Budget: ***"… despite some of the most challenging times Florida has faced, I am confident that this budget continues to prioritize the most vulnerable among us, while ALSO PROTECTING THE VITALITY OF OUR STATE'S FAMILIES AND BUSINESSES."*** We urge Governor Crist to respond to the severe economic impact the Dept. of Health Rule will have on 55,000 residents in the Wekiva Study Area by allowing line item 471. His approval is the only thing standing between us and the DOH Rule that threatens the income, savings and home value of our residents.

THANK YOU TO OUR SENATORS AND REPRESENTATIVES!

Senators: Andy Gardiner (Dist. 9); Carey Baker (Dist.20); Gary Siplin (Dist.19); Charles Dean, Sr. (Dist. 3); Don Gaetz (Dist. 4)
Representatives: Bryan Nelson (Dist. 38); Ralph Poppell (Dist. 29); D. Allen Hays (Dist. 25); Greg Evers (Dist 1); Scott Plakon (Dist. 37); Chris Dorworth (Dist. 34); Trudi Williams (Dist. 75). There are many more to thank for their votes and support for our cause. Because of their diligence and commitment to us, to common sense and reason, these elected representatives

withstood serious and difficult pressure from our opponents. As a result, SB 274 was defeated and the Proviso Budget language (referenced above) was recommended to the Governor by both the House and the Senate. All that remains is for Gov. Crist to sign the budget with Line Item 471 into law.

THANK YOU ORANGE and SEMINOLE COUNTY COMMISSIONERS, and to the TOWN OF OAKLAND. Your resolutions are appreciated.

Resolutions urging Governor Crist to allow BUDGET LINE ITEM 471 have been approved and sent to Tallahassee. Other city governments are in the process of doing the same thing. Check out http://www.markhamwoodsassociation.org to read current resolutions.

FROM THE DEPT. OF HEALTH WEBSITE

Current status of DOH Rule Adoption: The proposed rule mandating PBTS has not yet been filed for adoption. The anticipated filing date is on or about May 27, 2009. Anticipated effective date is on or about June 16, 2009**. DOH is waiting for Governor Crist to approve or veto LINE ITEM 471.**

IN THE ABSENCE OF LOGIC AND SOUND SCIENCE, YOU HAVE TO WONDER WHAT'S DRIVING THIS PUSH TO PBTS.

In an article posted in FloridaEnvironments.com, Charles Lee, lobbyist for Audubon, is quoted: ***"studies have pointed to septic tanks as a threat to springs along the Wekiva River."*** That's a pretty strong statement considering the Dept. of Environmental Protection has tracked nitrogen levels in the Wekiva River and they are **falling,** in spite of the fact that the number of septic tanks has increased over the past several years. Some credible studies suggest that the nitrogen contribution of septic tanks may be zero, if scientifically accepted methodologies for measuring septic contribution were employed. Also interesting, nitrogen levels in the Little Wekiva River are near zero. Little Wekiva River is a feeding tributary of the Wekiva River, and riverfront home to many Wekiva Study Area residents with conventional on-site septic systems. Part of the explanation could be that Florida's sandy soils are an extremely effective denitrification media.

ALSO ON THE MARKHAM WOODS WEBSITE: Video clip from a presentation to the Seminole County Commission given by Prof. Martin Wanielista, Ph.D. College of Engineering and Computer Science, UCF. A carbon-rich media made from ground tires and installed under test drainfields has proven more effective at reducing nitrogen and less costly by a factor of 50% than PBTS. The Department of Health knows this. If used tires have value, will we find fewer of them in ecologically sensitive areas?

DEPT. OF ENVIRONMENTAL PROTECTION: In the presentation at last month's Basin Management Action Plan (BMAP) committee meeting, reduced water level is listed as one of the reasons nitrogen is not being naturally dispersed in the rivers as it once was. At the same time, St. John's Water Management District is allowing a water bottling company to take out 500,000 gallons a day from our waterways and hammering on homeowners to conserve. Go figure. At the House Agriculture and Consumer Affairs Committee meeting in Tallahassee, we remember Daman Anderson, a respected environmental professional, pleading for a cohesive, comprehensive approach to saving our springs and waterways. **We agree**.

LIFE WITH PERFORMANCE BASED TREATMENT SYSTEMS

In previous issues, we have published the very real daily problems with PBTS that alter the life of an average homeowner. We hate to keep picking on one provider, so it's only fair to point out they ALL seem to have similar problems. We looked at the "trouble shooting" section on one web site. The homeowner is asked to answer four pages of questions before the trained technician schedules an out-of-contract service call. Sample questions include:

How many infants are in your house? Do you have regular house guests? If yes, how many and how long do they stay? How many loads of laundry to you wash on your biggest laundry day? Do you ever exceed the recommended amount of detergent? Do you wash diapers? How do you clean your toilets? Do you pour mop water down the drain? Do you have a garden tub/Jacuzzi? How often do you use it? Do you experience frequent power interruptions? Has your system been without power for more than three hours? Do you live in or near the 100 year flood plain? Are there jobs or hobbies that affect the way water is used in your home? (Examples given are pet grooming, hair salon, artist, etc.)

The fact that these questions are being asked only begs more questions. Is the person who has a home day care going to be able continue the business? If washing diapers is a problem, should the homeowner switch to disposable diapers and add to the landfills instead? Who in Florida does not have family and friends staying with them for at least a week or more? How many loads of laundry a day is a PBTS owner allowed? Is owning a Jacuzzi tub now a useless liability instead of a real estate "plus"? What can a PBTS owner expect if the power is off for a week or more like it was during the hurricanes of '04 and '05? We live in the lightening capital of the world! Power outages are normal and sometimes long lasting - so is flooding.

The survey also asks for very personal medical information which the average person would be anxious about disclosing. We question what life will be like for people who have or develop chronic illnesses, and short or long term, must take serious medications. Do they not already have enough to bear? Do we need to turn difficulty into a demeaning disaster? In Charlotte County, officials have pretty much decided that PBTS is an unfair and unjust burden on their homeowners. **We agree**.

Kudos to Steve in Forest City! Steve provided his whole neighborhood with envelopes stamped and addressed to Gov. Crist along with personalized letters. Thanks Steve!

Kudos to Cindy and Carol in Avalon Park. High energy, big results. Petitions circulated and sent to Tallahassee in just a few days!

Kudos to all our homeowners who have jumped on the task of contacting the Governor and circulated the request everywhere. Thank you!

Attn: Homeowner Associations. Join the growing list of HOA's in our Wekiva Study Area Coalition. Individual homeowners not represented by an HOA may also join. The only requirement is that you WRITE and E-MAIL your representatives and Gov. Crist in Tallahassee! We are encouraging financial commitments to the WSA Legal Fund. If you would like a coalition representative to address your HOA board regarding this issue:

Contact: andrea@lostpine.com., or jhiggins1@gmail.com