

# THE SLUDGE REPORT

Sludge Report: April 14, 2009

## Update on Department of Health and your septic tank.

Welcome to the second 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 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).

## An Open Letter to Legislators:

Please put aside statistics, justifications, and agenda's for a moment. This is about the overwhelming human toll of the PBTS mandate. This is about real people, average people, people on the receiving end. This is what I learned as a result of our neighborhood petition drive organized to oppose the DOH rule about Performance Based Treatment Systems. 99.9% of the 260 homes contacted in our neighborhood signed the petition. Beyond logic, statistics, justifications, and agendas, this is what I learned.

I knocked on a door where it seemed no one was home it was so dark inside. The elderly gentleman who eventually answered the door listened to information about costs and the impact selling his home would have. His eyes closed and his head sagged to rest on the door jam. He signed and quietly thanked me for trying to help.

Make no mistake, with the costs of this rule, the elderly in this county on a fixed income will have to make choices between needed dental work, medical co-pays and paying for their PBTS maintenance costs. What savings are left after the economy decimated their nest eggs - savings set aside for hurricane deductibles, replacing a roof, or long term health needs will be gobbled up by the installation costs.

A mom with four children looked at me in total disbelief, then asked me if I could help her choose which one will not go to college. The monthly maintenance costs will make it impossible for her to continue making payments on pre-paid college plans.

A very young mom with babies said, "There is no way we can come up with that kind of money to install one." All their savings went into buying the home, their equity line has been cancelled, and she knows there is not a bank anywhere that will help with the financing.

And, that's only three neighbors. There were more, but these stories tell enough. What do I see as future consequences across the county? I see homes and whole neighborhoods falling into a state of disrepair. I see code violations, fines and liens against homeowners who have not the means to comply and outright fraud potential as citizens avoid normal permitting laws to have septic repairs done. I see more foreclosures, upside down equity, and abandoned properties.

Going door-to door, I saw the pain and confusion and anger in peoples' eyes as they instantly understood the economic horror this will cause in their lives and the injustice of it all. I am publishing this because I promised them I would tell their stories, and I can't forget their eyes.

In a moment of discouragement, one neighbor said, "All we are is homeowners. We have no lobbyist." I told him, "You are wrong. We have legislators. They are our lobbyists." I would urge every legislator to hear the reality of the DOH rule and step up to be the peoples' voice. We need you to speak for us and stop this rule. It doesn't mean we abandon the dream of clean rivers, it simply means we find a way that saves both the river AND the residents.

*Signed: A concerned resident of the Wekiva Study Area*

**"People will forget what you said, people will forget what you did, but people will never forget how you made them feel."**

Maya Angelou, an African American poet, actress and civil rights activist

## FACTOIDS (factoids) QUESTIONS (questions) SUGGESTIONS (suggestions)

Several of our homeowners have received a communication from the Dept. of Health in response to their e-mails. One e-mail in particular from Gerald Briggs, Chief of the DOH Bureau of Onsite Sewage lists what he calls "misconceptions." In this issue of the Sludge Report, we are providing a response to those stated misconceptions.

### **Public Misconception #1. "The new systems don't even work."**

Mr. Briggs response: "All these systems have been tested and certified by third parties. Sampling in the Keys validates that these systems significantly reduce nutrients."

#### **Our Response: Research of Available Data:**

**Quoted from A Review of Nitrogen Loading and Treatment Performance Recommendation for Onsite Wastewater Treatment Systems (OWTS in the Wekiva Study Area, Damann L. Anderson, Hazen and Sawyer, Environmental Engineers & Scientists. Feb. 2006**

1) "In a project funded by the U.S. EPA (La Pine Oregon National Demonstration Project 2006), Fourteen different nitrogen reducing treatment systems were evaluated and typically several of each type were installed at individual residences and tested for over 1 year. Only 1 in 14 treatment system types met the project performance standards of 10mg/L TN, and only 4 in 14 produced nitrogen effluent values that averaged below 20mg/L TN. Several produced results comparable to septic tank effluent from a conventional OWTS. The best performing system was a porous media de-nitrification unit using an engineered organic carbon rich media."

2) "Maintaining consistent performance with this type (PBTS) of system requires considerable attention to operation and maintenance to meet effluent limits of 10mg/L. *Experience in the Florida Keys and elsewhere suggest that systems of this type at individual homes do not perform as well as expected, especially for nitrogen removal.*"

### **Public Misconception #2 & 3: "New Systems cost \$30,000. "Average annual cost is \$300."**

Mr. Briggs Response: "The average costs of these systems in Wakulla County today is \$7,700."

#### **Our Response: Research of Available Data:**

**Quoted from Dept. of Health, Version 1.2, Comparison of Nitrogen Reduction Options in the Wekiva Study Area, E. Roeder 12/14/07 - 2007 Wakulla County data:**

"For upgrades to nitrogen reducing systems, **while reusing the existing tanks and drainfield**, the price is assumed to be \$7,900." To meet water table separation requirements the costs escalate to \$13,600, conventional cost to meet separation code is \$6,300.

"Annual operating and maintenance costs are assumed to be \$1,000."

At this point it gets a little fuzzy because DOH seems to add installation costs to the annual operating and maintenance costs to produce a "uniform" annualized cost. They then compare that to the cost of sewer hook up.

However, actual field reports peg Operation & Maintenance at about \$1,000 without installation costs. By the way, the report also provides a 20 year/6% annualized installation cost to the homeowner. That's informative, but unfortunately, annualizing the cost of installation is not available to the homeowner facing PBTS. Installation costs are paid up front to the installer. That is an out-of-pocket cost, not an annualized cost. If the installation dollars come from savings, the cost to the homeowner grows to include lost income from growth and interest.

**MATH LESSON:** Julie Wrathmeil, Wildlife Policy Coordinator for Audubon of Florida is quoted in the Lehigh Acres Citizen:

*"Florida's springs are very much a part of who we are as a state. I think anyone that's ever been to a spring recognizes just what special places they are." Ms. Wrathmeil also says, "National parks with springs bring more than two million people to Florida's rural communities each year, generating more than \$7,000,000 in revenue. In these tight economic times, attendance is up at nature's playgrounds. Having one of those eco-tourist destinations in your community is an important factor in maintaining jobs in your area and helping to recover from the current economic slump."*

We respond to Ms. Rathmeil by doing the math. Yearly maintenance costs to homeowners in the Wekiva Study Area is realistically estimated at \$80,000,000. If the WSA pulls in a generous 25% of those eco-playground dollars, the **NET SUBTRACTION from the local economy is \$78,250,000**. How does this save jobs and help the economy recover?

**FACTOIDS: 6/27/07 - A REPORT FROM THE DEPT. OF HEALTH.**

"A Range of Cost-Effective Strategies for Reducing Nitrogen Contributions from Onsite Sewage Treatment and Disposal Systems. Task 4 of the Wekiva Study by the Florida Dept. of Health.

This report is incredibly interesting because it provides a window into the thinking that may have spawned the current rule language.

This report analyses various DOH revenue producing and nitrogen reduction compliance scenarios. The discussion includes how the DOH might use a yearly nitrogen discharge fee to fund grant programs. It is proposed that the fee **"could be based on inputs or on average loads from that source in the Wekiva Study Area. For onsite sewage treatment and disposal systems, the assessments of the current studies indicate that the difference between inputs and loads is not very large."** Interesting that the latest DOH pie chart says there is a huge difference between septic system inputs and loads to the spring shed.

There is a scenario in the report that talks about setting discharge standards for all systems "stricter than needed" to ensure the "average" performance will be close to the goal.

Another scenario discusses how performance standards (mg/L) for existing systems could be set so strictly that even if additional new systems from development were installed the NET yearly increase in nitrogen input would be zero. There is a discussion of why it is important to avoid evaluating soil for effectiveness in removing nitrogen. In other words, some of us may have soil that is already removing nitrogen at a very efficient rate and may not need PBTS, but a blanket application of the rule across all onsite systems keeps testing and tracking regimens simple and allows for cost sharing and revenue generation through fees.

***We have to ask - is this rule about saving the river and the spring sheds, or is it language fashioned to make the numbers and manage the details?***

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*Contact your senator or representative not listed here. On the web at "myflorida" to find names & e-mails..*

Attn: **Homeowner Associations.**

Join the 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 EMAIL your representatives in Tallahassee !

**Contact: andrea@lostpine.com.**