TO: Professor Laurie Fowler
FROM: Josh Rewis
DATE: April 13, 2021
RE: Florida and Georgia Onsite Sewage Management Regulations (DRAFT)

I. Introduction

On-site sewage management systems play a vital role in treating wastewater in the St. Mary's River watershed. While those systems are an important component of wastewater treatment, citizens in the watershed are concerned about the threats that improperly managed systems pose to groundwater and surface water quality.

Florida and Georgia both assign regulatory authority to certain state agencies and local governments. Florida is in the process of transferring onsite sewage regulatory authority to the Department of Environmental Protection (DEP). Once the transfer is complete, county health departments—formerly under the direction of the Department of Health (DOH)—will continue to administer sewage system regulations at the county level under the direction of DEP.[1] Georgia grants the Department of Public Health (DPH) authority to establish state-wide regulations for on-site sewage management systems. County health boards in the state are tasked with regulating on-site sewage management systems in their jurisdictions so long as those regulations are in accordance with the standard established by DEP.[2] In each state, local governments have

[1] Florida makes their statutes and administrative codes publicly available online. Use (https://www.flsenate.gov/Laws/Statutes/2011/0381.0065) to reach the statutory chapter containing onsite sewage regulations. Note, this document references the version of chapter 381.0065 that will take effect on July 1, 2021. Section 381.00651 (which pertains to the regulatory authority given to Florida's local government's) is not currently available on the website. The new rules take effect July 1, 2021 and will likely be available online shortly after. Use (https://www.flrules.org/gateway/ChapterHome.asp?Chapter=64e-6) to reach the administrative code section containing standards for onsite sewage treatment and disposal systems.

[2] Georgia also makes their statutes and administrative codes available online. Use (https://advance.lexis.com/container?config=00JAAzZDgzNzU2ZC05MDA0LTRmMDItYjkzMS0xOGY3MjE3OWNlODIKAFBvZENhdGFsb2fcIFfJnJ2IC8XZi1AYM4Ne&crid=3009007d-0a4b-4e96-8cb0-0017c9c1770c&prid=d7a61e74-41f8-408a-bfe6-df651a8f3761) to reach the statutes regulating DEP and county health boards. Use

considerable power to regulate those systems within their jurisdictions. This document describes the on-site sewage regulatory powers of the various state agencies and local governments in Florida and Georgia.

II. Florida

Florida is in the process of transferring onsite sewage regulatory authority from the Department of Health (DOH) to the Department of Environmental Protection (DEP). The transfer, part of an effort to minimize the impact of nutrient pollution in Florida's waters, gives DEP the authority to regulate on-site sewage systems as a source of nutrient pollution.[3] The permitting process (currently overseen by DOH) includes all activities related to "construction, installation, modification, abandonment, [and] repair of onsite sewage treatment and disposal systems ... ."[4] The permitting process is administered at the county level by DOH's county health departments.[5] Florida also grants municipalities and county governments the authority to adopt onsite sewage evaluation and assessment programs.[6]

The 2020 Clean Waterways Act transferred onsite sewage regulation authority from DOH to DEP.[7] The bill requires DOH and DEP to enter into an agreement by June 30, 2021

(http://rules.sos.state.ga.us/gac/511-3-1) to reach the administrative code section containing standards rules governing on-site sewage management systems.

[3] UF – IFAS Extension, University of Florida, *Senate Bill 712 Aims to Further Protect Florida's Water Resources*; available at http://nwdistrict.ifas.ufl.edu/nat/2021/01/28/senate-bill-712-aims-to-further-protect-floridas-water-resources/ (last visited April 29, 2021).

[4] F.S.A. § 381.0065(b); F.S.A. § 381.0065(2)(l) defines onsite sewage treatment and disposal systems as "system[s] that contain[] a standard subsurface, filled, or mount drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system."

[5] Fla. Admin. Code § 64E-6.001(4); Florida Health, *Onsite Sewage*; available at http://www.floridahealth.gov/environmental-health/onsite-sewage/index.html (last visited April 24, 2021).

[6] F.S.A. § 381.00651.

[7] Florida SB 712 – "The Clean Waterways Act." https://www.flsenate.gov/Session/Bill/2020/712/BillText/er/HTML.

addressing the role of county health departments in septic permitting, inspection, data management, and tracking of onsite sewage treatment and disposal systems under the direction of the DEP.[8] The new legislation also tasks DEP with adopting new rules "relating to the location of onsite sewage treatment and disposal systems ... to prevent groundwater contamination and surface water contamination."[9] The rules must "consider conventional and enhanced nutrient-reducing onsite sewage treatment and disposal system designs, impaired or degraded water bodies, domestic wastewater and drinking water infrastructure, potable water sources, nonpotable wells, stormwater infrastructure, ... [and] nutrient pollution."[10] The new legislation also removed a provision prohibiting DEP from placing limitations on the distance between onsite sewage disposal systems and areas that either permanently or temporarily have visible surface water.[11]

a. Health Departments

Any person attempting to install, repair, alter, modify, abandon, or replace an onsite sewage treatment and disposal system must apply for a construction permit from their county health department.[12] The application must include the results of an evaluation detailing "lot size, anticipated sewage flow into the proposed system, the anticipated sewage waste strength, soil and water table conditions, soil drainage and site topography ... ."[13] The application must also include a site plan that includes information detailing the boundaries of onsite structures, sewage

[8] Id. at pg. 224-244.
[9] F.S.A. § 381.0065(4)(e).
[10] Id.
[11] The new legislation removes F.S.A. § 381.0065(4)(f). The old section stated that "[e]xcept as provided in paragraphs (e) and (t), no limitations shall be imposed by rule, relating to the distance between an onsite disposal system and any area that either permanently or temporarily has visible surface water."
[12] Fla. Admin. Code § 64E-6.003(1).
[13] Fla. Admin. Code § 64E-6.004(3).

treatment components, slope of the property, wells, drainage features, and surface water bodies.[14] Additional required application information includes floor plans of the proposed establishment, soil sample descriptions, water table elevations at the time of the application and estimated water table elevations during the wettest season of the year.[15] After the application is approved and system is constructed, the sewage system must be inspected and approved by the county health department before the system is covered with dirt and placed into operation.[16]

Florida requires that all existing or prior approved onsite sewage systems in use and remaining in satisfactory operating condition shall remain valid for use under the terms and permit under which the system was approved.[17] The state also requires that onsite sewage permits transfer with the title of the property in a real estate transaction.[18] Specifically, onsite sewage system inspections cannot be mandated at point of sale and new onsite sewage permit requirements adopted by local governments cannot be used to restrict the transfer of a title if they differ from the requirements in effect at the time the original permit was issued.[19]

Inspections are triggered by changes in the use of the building and additions or alterations that change (1) the conditions under which the system was permitted and approved, (2) sewage characteristics, or (3) increase sewage flow.[20] The Florida legislature, however, excluded "additions and alterations" to single-family homes that do not add a bedroom.[21]

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[14] Fla. Admin. Code § 64E-6.004(3)(a).
[15] Fla. Admin. Code § 64E-6.004(b)-(d).
[16] Fla. Admin. Code § 64E-6.003(2).
[17] Fla. Admin. Code § 64E-6.001(4).
[18] F.S.A. § 381.0065(4)(v).
[19] Id.
[20] Fla. Admin. Code § 64E-6.001(4).
[21] F.S.A. § 381.0065(4)(z); F.S.A. § 381.0065(2)(b)(1)-(3) defines a bedroom as a room that can be used for sleeping and that: has a minimum of 70 square feet of conditioned space (for site-built dwellings), is constructed according to the standards of HUD and has a minimum of 50 square feet of floor area (for manufactured homes), is located on an exterior wall, has a closet and a door or an entrance where a door could be reasonably installed, and has an emergency means of escape and rescue opening to the outside in accordance with the Florida Building Code. The

Additionally, any change that will compromise the integrity of the system will trigger an inspection.[22] This triggering event requires the owner to apply for system reapproval by the county health department before work can begin.[23] The process commences when the owner completes Form DH 4015. This form must be accompanied by a site plan detailing the changes being made to the system.[24] As part of the application, the owner is also responsible for scheduling a pumpout with a permitted septic disposal service and a visual inspection with a qualified individual.[25]

b. Local Governments

In 2012, Florida gave local governments the power to evaluate and assess onsite sewage treatment and management systems in coordination with DEP.[26] The legislation grants counties and municipalities the power to "develop and adopt by local ordinance an onsite sewage treatment and disposal system evaluation and assessment program ... ."[27] If a local government adopts an evaluation program, it must be administered by the county health department in coordination with DEP on behalf of the county or municipality.[28] Furthermore, once a local government notifies DEP of the new evaluation program, the government will become eligible to

statute excludes rooms used to access other rooms that are not bathrooms or closets. The statute also excludes hallways, bathrooms, kitchens, living rooms, family rooms, dining rooms, dens, breakfast nooks, pantries, laundry rooms, sunrooms, recreation rooms, media/video rooms, or exercise rooms.

[22] Fla. Admin. Code § 64E-6.001(4)(d).

[23] Fla. Admin. Code § 64E-6.001(4).

[24] Fla. Admin. Code § 64E-6.001(4)(a).

[25] Fla. Admin. Code § 64E-6.001(4)(b). Qualified individuals are registered septic tank contractors, state-licensed plumbers, master septic tank contractors, or persons certified under Florida statute 381.0101.

[26] F.S.A. § 381.00651.

[27] F.S.A. § 381.00651(3).

[28] F.S.A. § 381.00651(8).

receive funding from the Clean Water State Revolving Fund (CWSRF) (see section V below).[29] DEP must also provide guidance to the local government in the CWSRF application process.[30]

The evaluation, if required by the local government, must be performed by a "qualified contractor"[31] and must take place every five years. The evaluation program may apply to all or part of the local government's jurisdiction.[32] Florida exempts from inspection septic systems serving residential dwellings on lots with a ratio of one bedroom per acre or greater.[33] Furthermore, the local ordinance requiring evaluations can only require a repair, modification, or replacement of the system if a system failure is identified.[34] A system failure means "a condition existing within an onsite sewage treatment and disposal system which results in the discharge of untreated or partially treated wastewater onto the ground surface or into surface water or that results in the failure of building plumbing to discharge properly and presents a sanitary nuisance."[35]

The evaluation includes the tank and the drainfield. Tank evaluations must include a pumpout and visual inspection of the tank for cracks, leaks, or other defects.[36] The drainfield evaluation must determine if any sewage is visible on the ground or discharging to a ditch or

[29] F.S.A. § 381.00651(9)(b).
[30] Id.
[31] F.S.A. § 381.00651(6)(b). Qualified contractors are defined as either "septic tank contractors, master septic tank contractors registered under part III of chapter 489, a professional engineer having wastewater treatment system experience and licensed under chapter 471, or an environmental health professional certified under this chapter in an area of onsite sewage treatment and disposal system evaluation." See Table 1.
[32] F.S.A. § 381.00651(6)(a).
[33] F.S.A. § 381.00651(6)(d)(3).
[34] F.S.A. § 381.00651(6)(c).
[35] Id. The section also defines when systems are not in failure: "A system is not in failure if the system does not have a minimum separation distance between the drainfield and the wettest season water table or if an obstruction in a sanitary line or an effluent screen or filter prevents effluent from flowing into a drianfield.
[36] F.S.A. § 381.00651(7)(a).

other water body.[37] Once the evaluation is complete, it must be documented in the environmental health database of the Department of Environmental Protection.[38]

III. Georgia

In Georgia, the Department of Public Health (DPH),[39] county health boards (CHB), and local governments have authority to regulate on-site sewage management systems,[40] albeit in different ways.

DPH establishes state-wide regulations for on-site sewage management systems.[41] At the county and city level, the state grants CHBs the authority to regulate the installation of on-site sewage management systems within the CHB's respective jurisdiction so long as those regulations are in accordance with and do not conflict with the regulations developed by DPH.[42] These regulations must only address issues such as siting, system sizes, permitting, and inspections of new systems.[43] Therefore, DPH's and the individual CHB's power to regulate on-site sewage management systems post-installation are severely constrained. Fortunately, Georgia

[37] Id.
[38] F.S.A. § 381.00651(7)(d). The old language of this section required the evaluation to be submitted to the Department of Health. The Clean Waterways Act transfers the database to the Department of Environmental Health.
[39] Katie Hill, Guidebook, pg. 4. DPH regulates on-site sewage management systems that treat less than 10,000/gpd and discharge into an absorption field. Georgia's EPD regulates systems that are designed to treat over 10,000/gpd or that discharge treated wastewater into a surface water body.
[40] Ga. Comp. R. & Reg. § 511-3-1-.02(gg) defines on-site sewage management systems as "sewage management system[s] other than a public or community sewage treatment system serving one or more buildings, mobile homes, recreational vehicles, residences, or other facilities designed or used for human occupancy or congregation." Those systems "shall include, without limitation, conventional and chamber septic tank systems, privies, and experimental and alternative on-site management systems which are designed to be physically incapable of a surface discharge of effluent."
[41] O.C.G.A. § 31-2A-11(b).
[42] O.C.G.A. § 31-3-5(b); O.C.G.A. § 31-3-4(a)(4).
[43] O.C.G.A. § 31-3-5(b)(1)-(5).

leaves local governments—such as counties and municipalities—a considerable amount of power to regulate those systems post-installation.

a. County Health Boards

CHB's oversee the approval process for the installation of new on-site sewage management systems.[44] Additionally, any repairs, replacements, or additions to existing systems must be permitted and inspected by the county health board.[45] Each application for a new system must include the location of the property, plans detailing the design of the system, information detailing the design of the proposed structure, soil characteristics, and the frequency of seasonal high groundwater tables.[46] Once an application is submitted, the county health board must inspect the site before issuing a permit.[47] The inspection must show "favorable findings relative to absorption rates, soil characteristics, groundwater, rock, and any other factors which would affect the acceptability of the lot."[48] Furthermore, once the system is in place, a final inspection must be performed by the county health board before the applicant backfills or uses the system.[49]

CHB's do not have the authority to establish "regulatory programs requiring maintenance of septic systems" and "cannot require ongoing maintenance of septic systems."[50] The relevant

[44] 511-3-1-.03(2).
[45] 511-3-1-.03(2)(c).
[46] 511-3-1-.03(2)(a)(1)-(9). The regulation requires the application to include: (1) the name and address of the owner/applicant, (2) location of the property, (3) plans and specifications showing the location and design of the proposed on-site sewage management system, including surface and subsurface drainage and piping, (4) the nature of the facility to be served, (5) the location of all water supplies, geothermal borehole, or other utilities and trash pits on or off the lot, which will bear upon the location of the on-site sewage management system, (6) the number of bedrooms in the dwelling, of the number of persons to be served in other types of establishments, or other sewage flow or water usage data, (7) soil characteristics, including soil types and capabilities, frequency and evaluations of seasonal high groundwater tables, occurrence of rock and other impervious strata, (8) signature of the owner/agent applying, (9) and any additional necessary information.
[47] 511-3-1-.03(3).
[48] Id.
[49] 511-3-1-.03(4).
[50] Katie Hill, *Decentralized Wastewater Management: A Guidebook for Georgia Communities*, 2013, pg. 7.

Georgia statute states that "[e]ach county board of health shall have the power and duty to adopt regulations providing standards and requirements governing the installation of on-site sewage management systems within the incorporated and unincorporated area of the county."[51] However, the section states that the regulations shall include "[p]roviding for ongoing maintenance of such systems, except for nonmechanical residential sewage systems."[52] Nonmechanical residential sewage systems, also referred to as conventional septic systems, are the most common type of onsite-sewage management system in the state.[53]

b. Local Governments

Unlike Florida, the Georgia code does not contain express language granting local governments the power to require recurring onsite sewage evaluations. However, Georgia does not prohibit local governments from regulating those systems. The "home rule" powers granted to local governments in the Georgia Constitution state that local governments may provide for "storm water and sewage collection and disposal systems."[54] Additionally, the section of Georgia code concerning state-wide regulations for on-site sewage management systems explicitly states that the section "shall not be construed to prohibit the governing authority of any county or municipality in the state from adopting and enforcing codes at the local level ... ."[55]

c. Differences and Similarities

Each state grants local health departments the power to oversee the permitting process for the installation of new onsite sewage management systems. As for existing systems, Florida

[51] O.C.G.A. § 31-3-5(b).
[52] O.C.G.A. § 31-3-5(b)(6).
[53] Katie Hill, pg. 5.
[54] Ga. Constitution Art. 9, § 2, Para. III(a)(6).
[55] O.C.G.A. § 31-2A-11(c)(1).

requires that existing and prior approved systems remaining in satisfactory condition remain valid for use under the original permit. Florida allows their health departments to inspect those systems only when the property changes use or the owner adds a bedroom to the structure served by the system. Georgia, on the other hand, forbids county health boards from requiring the maintenance of existing systems; however, Georgia grants county health boards the power to require inspections when repairs, replacements, or additions are made to existing systems.

Florida and Georgia grant local governments considerable power to regulate on-site sewage management systems. Georgia does not limit local governments in their power to regulate "storm water and sewage collection and disposal systems" within their jurisdictions. Florida, on the other hand, takes it a step further by specifically granting local governments the power develop and adopt onsite sewage system evaluation and assessment programs. Local governments that adopt those programs become eligible for funding to help with the implantation of the program.

IV. Model Jurisdictions

The city of Berkeley Lake, Georgia adopted a robust inspection and maintenance ordinance in 2005. The ordinance requires inspections and repairs of all septic systems every five years by "septic tank contractor[s] and service personnel certified by the state and registered with the county health department."[56] Malfunctioning systems must be repaired within 30 days of receiving notice of the malfunction.[57] Malfunctioning systems are defined as those systems that allow sewage "to flow from it on said property, into any storm drain, stream, water body, gutter, street, roadway or public place, or if sewage discharges from said system to the surface or

[56] Berkeley Lake Code of Ordinances § 58-2(1)-(2).
[57] Id. at 58-5(c).

subsurface of any property so as to create a nuisance or a condition detrimental to health."[58] Homeowners that fail to comply with the inspection and repair requirements may be punishable by a fine not exceeding $1000, imprisonment for 60 days, or both.[59] The program is administered by each of the "4.5" city staff members employed by the city of Berkeley Lake.[60]

The Douglasville-Douglas County Water and Sewer Authority (WSA) has also enacted strict inspection and maintenance rules. The WSA is an independent agency that was created in 1985 by the Georgia Legislature to manage the water and sanitary sewer services of both Douglasville and Douglas County.[61] As a state-created agency, the WSA was granted express power to enact recurring onsite sewage management and inspection regulations. In 2009, the Georgia Legislature went a step further and granted the WSA the power to "inspect all on-site sewage disposal systems ... in the Dog River Drainage Basin for the purpose of ensuring the proper operation of such systems."[62] Under this authority, the WSA requires that homes in the Dog River drainage basin be pumped at least every five years.[63] While WSA's regulations require pumpouts rather than inspections, a WSA employee informed me that pumpouts are accompanied by inspections.[64]

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[58] Id. at 58-5(a).
[59] Id. at 58-6(a)-(d).
[60] Telephone conversation with City of Berkeley Lake staff member, April 27, 2021 (2:00 PM EST). The staff member noted that homeowners are required to submit paperwork and a receipt documenting the pumpout and inspection. Notices are sent by the city staff prior to each homeowner's pumpout deadline.
[61] Douglasville-Douglas County Water and Sewar Authority, History; available at https://www.ddcwsa.com/about-us/history/ (last visited April 13, 2021).
[62] 2009 Ga. HB 1511. This 2009 amendment to the Douglasville-Douglas County Water and Sewer Authority Act (an Act I cannot find in Lexis) amends Section 5(13)-(14) of the Act to give the WSA the power to, among other things, inspect those systems in the Dog River Drainage Basin.
[6363] WSA Rules and Regulations § 2-20 (A copy of the relevant section was provided through email upon request by Donna Adkins, Customer Care Specialist for WSA).
[64] Telephone conversation with Donna Adkins, Douglasville-Douglas County Water and Sewer Authority Customer Care Specialist, April 9, 2021 (3:00 PM EST).

The Big Bend Water Authority in Florida's Dixie and Taylor Counties recently received a $434,800 loan from the Clean Water State Revolving Fund to fund the expansion of the wastewater treatment plant's collection system to eliminate nearly 145 septic tank systems near the Steinhatchee River.[65] The city of Cape Coral, Florida recently received a $97,000,000 loan from the Clean Water State Revolving Fund to expand the city's wastewater collection system to nearly 3,000 homes currently using septic tanks.[66] Florida's Martin County also received $14.4 million to transition 775 properties from septic systems to central sewer.[67]

In the St. Mary's River watershed, Camden County is using a couple of tools to address aging septic systems. First, similar to Charlton County's requirement that septic tank inspections are performed when the electric bill changes names, Camden requires a septic tank inspection when the residence name changes with the county solid waste collection service.[68] Camden county also uses funding from Clean Water Act § 319 grants (see Section 3(b) below) to target and repair failed or malfunctioning septic tank systems within the Horse Pen Creek watershed.[69]

V. Funding Solutions

a. Clean Water State Revolving Fund

Both the Georgia Environmental Finance Authority (GEFA) and the Florida Department of Environmental Protection (DEP) manage the dispersal of CWSRF loans in their respective

[65] Florida Department of Environmental Protection, *Recent Awards – State Revolving Fund*; available at https://floridadep.gov/wra/srf/content/recent-awards-state-revolving-fund (last visited April 27, 2021).
[66] Id.
[67] Id.
[68] Telephone conversation with Terry Ferrel, Environmental Health Manager-Camden County Health Department, April 27, 2021 (4:00 PM EST).
[69] Telephone conversation with Terry Ferrel, Environmental Health Manager-Camden County Health Department, April 27, 2021 (4:00 PM EST).

states. The CWSRF provides low-interest federal loans to fund wastewater infrastructure and nonpoint source pollution control projects.[70]

In Florida, local governments may apply for a CWSRF loan through DEP to fund the "planning, designing and constructing [of] water pollution control facilities." [71] Florida's project ranking criteria assigns points to "projects or activities by local governmental agencies or on-site system management entities ... that correct septic tank contributions to nutrient impaired spring systems."[72] The process begins when a local government submits a Request for Inclusion Form to DEP. The inclusion form requires the local government to list numerous factors which will be used by DEP to determine the project ranking on the priority list and the financing rate on the loan.[73] If DEP lists the project on the priority list, the local government must submit a loan application within 120 days.[74] Notably, DEP assigns extra weight to projects carried out by a "municipality or unincorporated community with a total population of 10,000 or less."[75] A number of local governments have been awarded CWSRF loans to transition hundreds of homes from septic tanks systems to central sewer.[76]

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[70] Katie Hill, *Decentralized Wastewater Management: A Guidebook for Georgia Communities*, 2013, pg. 24.
[71] Florida Department of Environmental Protection, *CWSRF Program*; available at https://floridadep.gov/wra/srf/content/cwsrf-program (last visited April 26, 2021). F.C.A. § 62-503.700, listing the requirements and descriptions for planning, design, construction, and procurement projects.
[72] F.A.C. § 62-503.300(1)(e)(1)
[73] F.A.C. § 62-503.300(1)(a). The factors considered in the Request for Inclusion Form include a rating derived from an Affordability Index (the Affordability Index score is based on a combination of median household income, poverty, and unemployment census statistics for local governments), a Base Priority Score (the BPS, found in 62-503.300(1)(e), is determined by a calculation that includes individual Component Construction Costs, total construction costs, and the Component Priority Score (CPS). The CPS point allocation scale is listed in Table 1 of 62-503.300(1)(e).
[74] F.A.C. § 62-503.430(1)(a).
[75] F.A.C. § 62-503.500.
[76] Florida Department of Environmental Protection, *Recent Awards – State Revolving Fund*; available at https://floridadep.gov/wra/srf/content/recent-awards-state-revolving-fund (last visited April 27, 2021).

In Georgia, local governments may apply for a CWSRF loan with the Georgia Environmental Finance Authority (GEFA) to fund "[d]ecentralized wastewater treatment solutions to existing deficient or failing on-site waste-water systems" and the construction and expansion of wastewater treatment plants.[77] Each potential project must undergo a state environmental review process (SERP).[78] The SERP process begins when a local government submits a project description to GEFA using a GEFA loan application.[79] GEFA will then forward the project description to the Georgia Environmental Protection Division (EPD) for review. EPD will complete an environmental certification and indicate whether the applicant must complete various environmental impact reviews.[80] GEFA will also determine the project's eligibility and ranking at quarterly board meetings by reviewing elements such as facilities planning requirements, project readiness, environmental benefit, and availability of matching funds.[81]

b. Section 319 Grants

[77] Georgia Environmental Finance Authority, *Clean Water State Revolving Fund*; available at https://gefa.georgia.gov/water-resources/water-and-sewer-financing/clean-water-state-revolving-fund (last visited April 27, 2021). The lists of eligible projects can be found by clicking a hotlink for a pdf document at the bottom of the page.
[78] Id.
[79] Georgia Environmental Finance Authority, *Clean Water State Revolving Fund*; available at https://gefa.georgia.gov/water-resources/application-process (last visited April 27, 2021). The loan application can be downloaded by clicking the "download application" hotlink on the page.
[80] Georgia Environmental Finance Authority, *Application Process*; available at https://gefa.georgia.gov/water-resources/application-process (last visited April 27, 2021).
[81] Georgia Environmental Finance Authority, *Loan Documents*; https://gefa.georgia.gov/water-resources/loan-documents (last visited April 27, 2021). The guidance documents for project requirements can be downloaded as a pdf on the page.

Local governments may apply for Clean Water Act § 319 grants to fund onsite sewage system management and repair projects.[82] Both Florida[83] and Georgia[84] require applicants to submit project proposals through each state's Department of Environmental Protection application programs.

Table 1:

Qualified Contractors:		
Master Septic Tank Contractor and Septic Tank Contactor	**Engineers – Wastewater Treatment System Experience**	**Environmental Health Professional**
Registers with DEP	Certified with the Board of Professional Engineers	Certified by the Department of Health

[82] Katie Hill, *Guidebook*, pg. xlix.
[83] Florida Department of Environmental Protection, *Nonpoint Source Funds – How to Apply*; available at https://floridadep.gov/wra/319-tmdl-fund (last visited April 27, 2021). The website includes information concerning eligibility requirements and application guidelines.
[84] Environmental Protection Division, *Section 319(h) Georgia's Nonpoint Source Implementation Grant*; available at https://epd.georgia.gov/outreach/grants/georgia-319h-nonpoint-source-grant (last visited April 27, 2021). The website includes information concerning eligibility requirements and application guidelines.