

**SUPPLEMENTARY LOCAL RULES TO THE
OHIO DEPARTMENT OF HEALTH
OHIO ADMINISTRATIVE CODE CHAPTER 3701-29
SEWAGE TREATMENT SYSTEM RULES**

Warren County Combined Health District
416 S. East Street
Lebanon, Ohio 45036
513-695-1220
www.wcchd.com

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Section 1 Definitions

Definitions shall be same as those set forth in 3701-29-01 of the Ohio Administrative Code.

Section 2 General Authority

The Board of Health of the Warren County Combined Health District is granted authority under section 3709.21 of the Ohio Revised Code to make such orders and regulations as are necessary for the public health, the prevention or restriction of disease, and the prevention, abatement, or suppression of nuisances.

Section 3 Registration of installers, service providers, and septage haulers

- (A) Pursuant to 3701-29-03 (G) of the Ohio Administrative Code, when the registered service provider performs the duties of a service provider on only the registrant's personal residence, the service provider shall be exempt from paragraphs (C)(4), and (C)(6) of the rule. The board of health requires compliance with paragraphs (C)(1) and (C)(5) of the rule.
- (B) Pursuant to 3701-29-03 (H) of the Ohio Administrative Code, when the registered installer performs the duties of an installer on only the registrant's personal residence, the board of health may waive (C)(1), (C)(4), and (C)(6) of the rule. The board of health requires compliance with paragraphs (C)(1) and (C)(6) of the rule. The board of health waives paragraph (C)(4) of the rule.

Section 4 Soil evaluation and soil evaluators

- (A) Pursuant to 3701-29-07 (A)(4) of the Ohio Administrative Code the board of health endorses a registered sanitarian(s) employed by the board of health to conduct soil evaluations where the soil evaluation is for the alteration or replacement of an existing household sewage treatment system within the jurisdiction of the Warren County Combined Health District on behalf of the board of health.

Section 5 Effluent quality standards

- (A) Pursuant to 3701-29-14 (C) of the Ohio Administrative Code, the board of health requires nutrient reduction standards for pretreatment components when there is a significant risk of nutrient contamination to surface or ground water, the standards are set forth in 3701-29-14(C)(1) and (2) of the Ohio Administrative Code.

Section 6 General soil absorption standards

- (A) Pursuant to 3701-29-15 (G) of the Ohio Administrative Code, the board of health requires a vertical separation distance of eighteen (18) inches, with a required minimum thickness of in situ soil within the infiltrative distance of six (6) inches.

- (B) Pursuant to 3701-29-15 (H) of the Ohio Administrative Code and if warranted following a soil and site evaluation, the board of health requires a minimum vertical separation distance of greater than zero inches and less than six inches, and the required minimum in situ soil thickness within the vertical separation distance of greater than zero inches and less than six inches where the seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform CFU per one hundred milliliters.

Section 7 Gray water recycling systems

- (A) Pursuant to 3701-29-17 (B) of the Ohio Administrative Code, the board of health requires a permit for the design and installation of a type 1 gray water recycling system.
 - (1) No person shall design or install a type 1 gray water recycling system without an approved and valid type 1 gray water recycling system permit issued by the board of health.
 - (2) All terms, conditions, and procedures for site review and permitting specified in section 3701-29-09 of the Ohio Administrative Code shall be recognized and enforced.

Section 8 STS operation and management, and owner education

- (A) Pursuant to 3701-29-19 (E)(1) of the Ohio Administrative Code, the board of health permits a registered service provider to collect effluent samples for a system with a National Pollutant Discharge Elimination System permit, provided that the accuracy and consistency with the collection protocol is followed by the registered service provider.

Section 9 Septage and sewage management

- (A) Pursuant to 3701-29-20 (A) of the Ohio Administrative Code, the board of health may adopt rules prohibiting, restricting or limiting the land application of septage within its jurisdiction, the board of health allows the land application of septage within its jurisdiction.

Section 10 STS abandonment

- (A) Pursuant to 3701-29-21(E) of the Ohio Administrative Code, the board of health requires a permit for abandonment of a Sewage Treatment System and payment of a permit fee as determined by the board in accordance with paragraph (D)(12) of rule 3701-29-05 of the Ohio Administrative Code.
 - (1) No person shall abandon a sewage treatment system without an approved and valid abandonment permit issued by the board of health.
 - (2) All terms, conditions, and procedures for abandonment specified in section 3701-29-21 of the Ohio Administrative Code shall be enforced.

- (3) An approved abandonment permit issued by the board of health shall be valid for one year from the date of issuance or until the abandonment is completed and approved by the board of health.

Section 11 Penalties

This regulation shall be enforced in accordance with Chapter 3709 of the Ohio Revised Code. A violation of this regulation is punishable in accordance with section 3709.99 of the Ohio Revised Code.

Section 12 Effect of partial invalidity or unconstitutionality

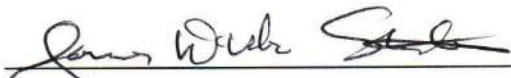
Should any part of these rules be declared to be unconstitutional by a court of competent jurisdiction or declared invalid by the Ohio Department of Health because they are less stringent than the requirements of Chapter 3701-29 of the Ohio Administrative Code, the remainder of these rules shall remain in full force and effect.

Section 13 Effective date

All sections of these rules shall be in full force and effect as of January 1, 2015.

Adopted by the Board of Health of the Warren County Combined Health District this 16 day of Dec., 2014 .

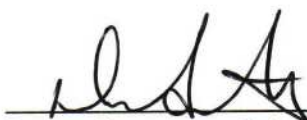
Board of Health Motion #87-2014
Effective Date: 01-01-2015



James D. Staten
President, Board of Health

12/16/14


Date



Duane Stansbury, R.S., M.P.H.
Health Commissioner

12/16/14

Date

Approve as to form 

ASSISTANT PROSECUTOR



WARREN COUNTY COMBINED HEALTH DISTRICT
416 South East Street • Lebanon, Ohio 45036

Duane Stansbury, R.S., M.P.H.
HEALTH COMMISSIONER

Scott R. Swope, D.O.
MEDICAL DIRECTOR



Public Health
Prevent. Promote. Protect.

WCCHD Sewage Treatment System Operation and Maintenance Program Regulations

1. An Operation inspection includes an inspection of an existing or new sewage treatment system to determine if the system is malfunctioning or creating an identifiable public health nuisance. The inspection report needs to include findings during the on-site inspection, operation recommendations, educational information, and any necessary corrections to better maintain the sewage treatment system.
2. The initial operating permit shall be obtained in conjunction with and concurrent to obtaining the Permit to Install for all new, replacement, or altered sewage treatment systems. The initial operational permit will become effective upon approval of the completed installation of the new, replacement, or altered sewage treatment system. An operating permit is issued to the property owner and is transferable to any new property owner(s) during the time in which the operating permit is valid.
3. The initial operating permit for all sewage treatment systems shall be in effect for a period of one year from the date the installation, replacement, or alteration was approved. The sewage treatment system shall be inspected by a representative of the Warren County Combined Health District within that one year time period.
4. Any existing or new sewage treatment systems operating permit shall be in effect for a period of three years from the date of installation acceptance and shall be renewed every three years thereafter. The sewage treatment system can be either inspected by the health department staff within the three year time period or by a registered service provider. If, at the discretion of the Board, a sewage treatment system on a three year operating permit is found to be having consistent problems, then that sewage treatment system shall be placed on a one year operating permit until such time as there has been two consecutive years of acceptable operation. Once the system meets this requirement it can be returned to the three year program.
5. The property owner shall be responsible for the proper operation, maintenance and repairs of the household sewage treatment system or the small flow on-site sewage treatment system. The reported inspection results do not constitute expressed or implied guarantee of future performance of the sewage treatment system. The operating permit inspection provided by the WCCHD staff shall not be required if the property owner obtains an operation and maintenance contract with a registered service provider who shall then be required to provide routine documentation regarding the sewage treatment system. If a service contract is obtained, then the system must be inspected at least once every three years by the registered service provider and the report must be submitted to the WCCHD.

6. All fees for the operating permit inspections shall be established by the Board of Health. The Board may also establish late fees and re-inspection fees as it deems necessary. A late fee will be imposed for an operating permit that has not been renewed within one hundred and twenty (120) days of the due date. Any re-inspection fee imposed shall be at the discretion of the Health Commissioner when more than one re-inspection is necessary to verify resolution of a problem.

7. The Health Commissioner shall certify the amount of the unpaid operation permit fee and any penalty fee to the County Auditor pursuant to Sections 319.281 and 3709.091 of the Ohio Revised Code. Whoever violates or fails to comply with any of the provisions of this regulation shall be in violation of Section 3707.48, 3709.20, 3709.21, or 3709.22 of the Ohio Revised Code, and subject to the penalties provided for in Sections 3707.99 and 3709.99 of the Ohio Revised Code