

Final Reading

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

Warren County Combined Health District
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**Adopted by the Board of health on December 16, 2014
Effective January 1, 2015
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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 Assumption of Regulatory Authority of Small Flows On-Site Sewage Treatment Systems

- (A) Pursuant to 3701-29-02 (H) of the Ohio Administrative Code the Warren County Board of Health assumes regulatory authority regarding the siting, design, installation, operation, monitoring, maintenance and/or abandonment of SFOSTS in accordance with section 3718.021 of the Revised Code.

Section 4 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 5 Tanks, pumps and controls, and building sewers

- (A) Pursuant to 3701-29-12 (N) of the Ohio Administrative Code the board of health may require an electrical inspection to address concerns of safety or risk of injury. The Warren County Board of Health requires an electrical inspection for STS installations when concerns of safety or risk of injury are present. Advanced treatment systems, as well as NPDES systems, require an electrical inspection prior to receiving final approval.

Section 6 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 7 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 twelve (12) inches, with a required minimum thickness of in situ soil within the infiltrative distance of eight (8) inches when a perched seasonal water table is present.

- (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 vertical separation distance of six inches to a seasonal water table, with a required minimum thickness of in situ soil within the infiltrative distance of 0 inches when effluent is discharged to the soil absorption component 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. The infiltrative surface shall not be placed below the depth of the seasonal water table. When the seasonal water table is present at the surface, leaching trenches are prohibited.

Section 8 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 9 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 10 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 11 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 12 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 13 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 14 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 ___ day of ____, ____.

James D. Staten
President, Board of Health

Date

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

Date

Approved as to form _____
Warren County Prosecutor's Office

Date