

Supplement to the Ohio Department of Health Sewage Treatment System Rules 3701-29

Section 1 - Definitions

Definitions reflect those set forth and identified in 3701-29-01 of the Ohio Administrative Code.

Section 2-General Authority

The Board of Health of Meigs County General 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-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 4-Written approval for an HSTS design prior to the effective date of this chapter

In cases where the Board of Health has provided written approval for an HSTS design prior to the effective date of this chapter the Board of Health shall permit the installation of the system at the applicant's request under the following condition:

- (1) There is written documentation that the HSTS design was approved by the Board of Health and the written approval has not expired;
- (2) The HSTS shall not conflict with provisions of the NPDES program established in pursuant to section 6111.03 of the Revised Code;
- (3) Other than the sitting and HSTS specifications previously approved by the Board of Health, the provisions of this chapter shall apply; and
- (4) The installation permit for the HSTS is issued by the Board of Health prior to the First day of January 2017.

Section 5-Regulatory Authority over Small Flows On-site Sewage Treatment Systems (SFOSTS)

The Board of Health of Meigs County General Health District is granted authority under Ohio Administrative Code 3701-29-02 (H) to expand its local authority through regulation of SFOSTS in accordance with 3718.021 Ohio Revised Code. The Board of Health will continue to regulate SFOSTS under its jurisdiction and that all applicable provisions apply to those SFOSTS and will be fully implemented under its authority.

Section 6-Registration of Installers, Service Providers, Septage Haulers

- (A) In reference 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 has the authority to waive (C) (1) and (C) (5) of the rule; however, the Board of Health does NOT waive these sections and SHALL require compliance with paragraphs (C) (1) and (C) (5) of the rule.
- (B) In reference to 3701-29-03 (H) of the Ohio Administrative Code, when the registered installer performs duties of an installer on only the registrant's personal residence, the Board of the Health may waive (C)(1), (C)(4), and (C)(6) of the rule. The Board of Health does NOT waive the requirements of (C) (1), but does waive sections (C) (4) and (C) (6) of the rule.

Section 7-General soil absorption standards

- (A) In reference to 3701-29-15(G) of the Ohio Administrative Code, when a seasonal water table is present the Board of Health may establish a vertical separation distance of no less than six inches and no greater than eighteen inches with a required minimum thickness of in situ soil within the infiltrative distance of no less than six inches. The Board of Health does hereby establish when there is a seasonal water table present a vertical separation distance of six (6) inches, with a required minimum thickness of in situ soil of six (6) inches.
- (B) In reference to 3701-29-15 (H) of the Ohio Administrative Code, when a seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform CFU per one hundred milliliters the Board of Health may establish the required 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. The Board of Health does hereby establish a minimum vertical separation distance of one inch where seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform CFU per one hundred milliliters and the required minimum in situ soil thickness within the vertical separation distance of one inch.

Section 8-Gray water recycling systems

- (A) In reference to 3701-29-17 (B) of the Ohio Administrative Code, whereas the Board of Health may issue a permit for the design and installation of a type 1 gray water recycling system (GWRS), the Board of Health does hereby determine that a permit shall be required for the design and installation of these systems.
 - (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. A type 1 GWRS shall only be used for subsurface irrigation during the normal growing season in Ohio and have a maximum daily flow of sixty gallons.
 - (2) For a type 1 gray water recycling system, a soil evaluation is not required but the total minimum irrigation area available to receive the gray water must be adequate based on the soil infiltration rate, the evapotranspiration rate, and the water requirements of the plants or area being irrigated.

Section 9-STS operation and management, and owner education

- (A) In reference to 3701-29-19 (E) (1) of the Ohio Administrative Code, whereas the Board of Health may permit a registered service provider to collect effluent samples per National Pollutant Discharge Elimination System, the Board of Health does hereby approve that the sampling described may be conducted by a registered service provider in accordance with protocols established by the manufacturer, department and/or Ohio EPA.
- (B) The Board of Health does hereby establish the operations and maintenance program as detailed in appendix A of this rule.

Section 10-STS abandonment

- (A) In reference to 3701-29-21 (E) of the Ohio Administrative Code, whereas the Board of Health may require a permit for abandonment of a Sewage Treatment System and establish a permit fee in accordance with paragraph (D)(12) of rule 3701-29-05 of the Administrative Code, the Board of Health does hereby determine that an abandonment permit and fee shall be required.
 - (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 within the one year period.

Section 12-Penalty

Any person who violates any provision of this regulation shall be in violation of Section 3707.48 of the Ohio Revised Code and subject to the penalties provided by Section 3707.99 of the Ohio Revised Code.

Section 13-Effect of Partial Invalidity

Should any part of these regulations be declared unconstitutional or illegal for any reason, the remainder of these regulations shall not be affected.

Section 14-Effective Date

These regulations were adopted and passed by the Board of Health of the Meigs County General Health District, according to law on _____ and are in effect on or after _____.

**APPENDIX A 3701-29-19 Meigs County General Health District Sewage Treatment System -
Operation and Maintenance Management Program**

(A) OPERATION PERMITS-STIS

(1) ANY STS INSTALLED PRIOR TO JANUARY 1, 2015 THAT IS DETERMINED BY THE BOARD OF HEALTH TO BE MALFUNCTIONING AND/OR CREATING A PUBLIC HEALTH NUISANCE (AS DEFINED IN ORC 3718.011) WHICH REQUIRES A PERMITTED REPAIR OR REPLACEMENT SHALL MAINTAIN A CURRENT AND CONTINUOUS 10-YEAR OPERATION PERMIT UPON THE APPROVED COMPLETION OF THE PERMITTED REPAIR OR REPLACEMENT.

(2) ALL TYPES OF STS/GWRS INSTALLED OR ALTERED AFTER JANUARY 1, 2015 SHALL MAINTAIN A CURRENT AND CONTINUOUS 10-YEAR OPERATION PERMIT UPON THE APPROVED COMPLETION OF A PERMITTED REPAIR, REPLACEMENT OR INSTALLTION.

(3) ALL NPDES PERMITTED DISCHARGE STS INSTALLED AFTER JANUARY 1, 2007 SHALL MAINTAIN A CURRENT AND CONTINUOUS 5 YEAR OPERATION PERMIT THE APPROVED COMPLETION OF A PERMITTED REPAIR, REPLACEMENT OR INSTALLATION. THESE SYSTEMS SHALL ALSO MAINTAIN A CONTINUOUS SERVICE CONTRACT WITH A QUALIFIED REGISTERED SERVICE PROVIDER. COMPLY WITH ALL NPDES REQUIREMENTS AND SAMPLE EFFLUENT USING A QUALIFIED REGISTERED SERVICE PROVIDER WITH SAMPLES ANALYSED BY ACCREDITED LABORATORY CONSISTANT WITH NPDES REQUIREMENTS AND OAC 3701-29.

(4) ALL 10-YEAR OPERATION PERMITS SHALL AUTOMATICALLY RENEW UPON PROOF OF SYSTEM MAINTENANCE. COMPLIANCE WITH OAC 3701-29 AND PAYMENT OF APPLICABLE FEE.

(B) OPERATION PERMIT- PENALTIES

WHOEVER FAILS TO OBTAIN AN OPERATION PERMIT AND/OR SERVICE CONTRACT WITH A REGISTERED SERVICE PROVIDER AS REQUIRED, SHALL BE SUBJECT TO A PENALTY FEE ESTABLISHED IN 3709.09 AND SUBJECT TO ENFORCEMENT ACTION IN ACCORDANCE WITH 3709.091 OHIO REVISED CODE AND 3718.08 OHIO REVISED CODE.

(C) STS SERVICE PROVIDER REPORTING

EACH STS OR COMPONENT THEREOF, REQUIRED TO HAVE A SERVICE CONTRACT WITH A REGISTERED SERVICE PROVIDER SHALL BE SERVICED IN ACCORDANCE WITH THE OHIO DEPARTMENT OF HEALTH'S APPROVAL UNDER O.A.C. 3701-29. THE REGISTERED SERVICE PROVIDER SHALL REPORT THE SYSTEMS THAT HAVE BEEN ROUTINELY SERVICED TO THE HEALTH DEPARTMENT, ON A REPORT FORM APPROVED BY THE STATE DEPARTMENT OF HEALTH. THE REPORT SHALL BE DUE NO LATER THAN SIXTY (60) DAYS OF ANY OPERATION AND MAINTENANCE INSPECTION.

(D) SEPTAGE HAULER DISPOSAL/REPORTING

SEPTAGE HAULERS SHALL SUBMIT A LIST OF THE PROPERTIES THEY HAVE SERVICED WITHIN THE HEALTH DISTRICT QUATERALLY UNLESS REQUESTED BY THE BOARD OF HEALTH TO COMPLETE A SEPTIC EVALUATION, ON A FORM APPROVED BY OHIO DEPARTMENT OF HEALTH. THE LIST SHALL CONTAIN: THE SYSTEM OWNER, LOCATION ADDRESS, QUANTITY OF SEPTAGE OR SEWAGE REMOVED FROM THE SYSTEM, CONDITION OF TANK, PRESENCE OR ABSENCE OF BAFFLES OR TEES, CONDITION OF RISERS, EVIDENCE OF HIGH WATER, WATER INTRUSION, OR TANK DETERIORATION. ANY REPAIRS, REPLACEMENTS OR IMPROVEMENTS MADE TO TANK, TANK OF SEPTAGE OR SEWAGE REMOVAL, AND WASTEWATER TREATMENT PLANT OR OTHER RECEIVING FACILITY WHERE THE SEPTAGE OR SEWAGE WAS DISPOSED, OR THE LOCATION OF LAND APPLICATION. PUMPING AND DISPOSAL RECORDS SHALL BE PROVIDED TO THE BOARD OF HEALTH ON A QUARTERLY BASIS.