



RESOLUTION BOH/EH 2015-01

***SUPPLEMENTAL RULES TO
OHIO ADMINISTRATIVE CODE CHAPTER 3701-29
SEWAGE TREATMENT SYSTEM (STS) RULES
2015***

Resolution BOH/EH 2015-01 Effective April 1, 2015

Sewage Treatment System (STS) Rules

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Section 1 – Definitions

Definitions reflect those set forth and currently identified in Chapter 3701-29-01 of the Ohio Administrative Code (OAC).

Section 2 – General Authority

The Board of Health of Richland Public Health, hereafter referred to as BOH, 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) In reference to 3701-29-03 (G) of the OAC, 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. Whereas the BOH has the authority to waive (C)(1) and (C)(5) of the rule, the BOH does hereby determine that it does not waive (C)(1), but does waive (C)(5) upon satisfactory proof of training on the registrant's sewage treatment system per OAC 3701-29-03 (J). The BOH further requires compliance with all other provisions set forth in OAC 3701-29.
- (B) In reference 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 BOH may waive (C)(1), (C)(4), and (C)(6) of the rule. The BOH does hereby determine that it shall require compliance with paragraphs (C)(1) and (C)(6) of the rule and it shall waive paragraph (C)(4) of the rule.

Section 4 – BOH Endorsement of Soil Evaluations by Sanitarians

- (A) In reference to 3701-29-07 (A)(4) of the OAC where the BOH is required to endorse the practice of sanitarians performing soil evaluations, the BOH hereby determines that no Richland Public Health employees will be permitted to complete soil evaluations.

Section 5 – Nutrient Reduction Standards

- (A) In reference to 3701-29-14 (C) of the OAC, whereas the BOH may establish nutrient reduction standards for pretreatment components when there is a significant risk of nutrient contamination to surface or ground water, the BOH does hereby adopt the effluent quality standards referenced in 3701-29-14 (C)(1) and (2).

Section 6 – General Soil Absorption Standards

- (A) In reference to 3701-29-15 (G) of the OAC, whereas the BOH may establish a vertical separation distance no less than six (6.0) inches and no greater than eighteen (18.0) inches, with a required minimum thickness of in situ soil within the infiltrative distance of no less than six (6.0) inches when effluent is discharged to the soil absorption component, the BOH does hereby establish a vertical separation distance of twelve (12.0) inches, with a required minimum thickness of in situ soil of eight (8.0) inches.
- (B) In reference to 3701-29-15 (H) of the OAC, whereas the BOH 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 where the seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform colony-forming unit (CFU) per one hundred milliliters. The BOH does not establish or recognize these requirements, and therefore prohibits Sewage Treatment Systems or Gray Water Recycling Systems to be permitted at these standards.

Section 7 – Gray Water Recycling Systems (GWRS)

- (A) In reference to 3701-29-17 (B) of the OAC, whereas the BOH may issue a permit for the design and installation of a Type 1 gray water recycling system (GWRS), the BOH does hereby determine that a permit shall be required for the design and installation of these systems. Therefore:
- (1) No person shall design or install a Type 1 GWRS without an approved and valid Type 1 GWRS permit issued by the BOH.
- (2) All terms, conditions, and procedures for site review and permitting specified in Section 3701-29-09 of the OAC, and designs for GWRS specified in Section 3701-29-10 of the OAC, shall be recognized and enforced.

Section 8 - STS Operation and Management, and Owner Education

- (A) In reference to 3701-29-19 (E)(1) of the OAC, whereas the BOH may allow a registered service provider to collect effluent samples for a National Pollutant Discharge Elimination System (NPDES), the BOH does hereby allow a registered service provider to collect effluent samples for a NPDES as long as samples are collected in conformance with the requirements set forth in 3701-29-19 (E)(1) of the OAC.
- (B) In reference to 3701-29-19 (F) of the OAC, whereas the BOH may establish a household sewage treatment district, the BOH reserves the right to establish a household sewage treatment district in accordance with Section 3718.02 (A)(14) of the Ohio Revised Code, and 3701-29-19 (F) of the OAC.

Section 9 - Septage and Sewage Management

- (A) In reference to 3701-29-20 (A) of the OAC, whereas the BOH may adopt rules prohibiting, restricting, or limiting the land application of septage within its jurisdiction, the BOH does hereby allow the land application of septage within its jurisdiction subject to all requirements set forth in 3701-29-20 of the OAC.

Section 10 - STS Abandonment

- (A) In reference to 3701-29-21(E) of the OAC, whereas the BOH 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 OAC, the BOH does hereby determine that an abandonment permit and fee shall be required.

Section 11 - Constitutionality

- (A) Should any section, paragraph, clause, sentence, or phrase of these regulations be declared unconstitutional or invalid for any reason, the remainder of said regulations shall not be affected thereby.

Section 12 - Penalties

- (B) 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 Sections 3709.99, 3718.10, and/or 3718.99 as applicable of the Ohio Revised Code.