ENVIRONMENTAL HEALTH CODE OF THE
SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT

TITLE FOUR - SEWAGE TREATMENT SYSTEM CODE

Chapter 400. Sewage Treatment Systems

CROSS REFERENCES

Abatement and removal of nuisances by Board of Health - see ORC 3707.01
Acts of pollution prohibited - see ORC 6111.04
Codified Ordinances of Summit County/Part 9 - Environmental Services Code/Title 7 - Riparian Setbacks
(Riparian Setback Ordinance: 2002-154 and amendments 2002-666 and 2004-133
Collection and disposal of liquid wastes - see ORC 6115.01 et seq.
Lien for unpaid sewage disposal system permit or inspection fee – ORC 3709.09
Liquid waste disposal in motels - see EHC 800
Orders and regulations of board of general health district – ORC 3709.21
Powers and duties of Environmental Protection Agency Re: water resource planning and waste disposal
and treatment - see ORC 3745.01(A)
Private sewer systems - see ORC 6112
Private sewers - see OAC 4101:2-51-411
Putting contents of privy vaults upon land or in water - see ORC 3767.16 & 3767.22
Required sewer connections where available and accessible - see ORC 6117.51
SCPH Fees – see EHC Ch. 101
Uniform system of fees; public health council rules – ORC 3709.09

EHC  Environmental Health Code   ORC  Ohio Revised Code   OAC  Ohio Administrative Code

Introduction:

The State of Ohio Sewage Treatment System (STS) regulations became effective January 1, 2015. The new
regulations provide for state-wide consistent regulations of sewage treatment systems and gray water
recycling systems serving one, two and three family dwellings and multifamily units and small
commercial businesses with a liquid waste flow no greater than 1000 gallons per day.

The new regulations do permit a local health district to exercise some judgment based on local soil and
site conditions to create limited alternative regulations and provide some flexibility in the approach to the
administration of the regulations locally.
Chapter 400 SCCGHD Supplemental Sewage Treatment Systems to OAC 3701-29

The format of this code chapter will follow the sections 1 through 23 of the Ohio Administrative Code Chapter 3701-29 listing notes on administrative function and regulations approved by the Board of Health.

400.01 Definitions
See OAC 3701-29-01, no additional regulations are adopted under this section.

400.02 Scope, responsibility for compliance, and applicability of rules
See OAC 3701-29-02, no additional regulations are adopted under this section.

Administrative note(s):

i. SCCGHD has previously accepted responsibility for the oversight responsibilities for the siting, design, installation, operation, monitoring, maintenance and/or abandonment of SFOSTS (Small Flow On-Site Treatment Systems) in accordance with OAC 3701-29-02(H) and ORC 3718.021 in 2007 and will continue to administer this program.

ii. SCCGHD also conducts monitoring of Semi-Public wastewater treatment systems under contract with the Ohio EPA, ORC 3709.085.

400.03 Registration of installers, service providers, and septage haulers

A. When a registered service provider performs the duties of a service provider on only the registrant’s personal residence, the service provider shall be exempt from liability insurance and financial assurance requirements found in paragraphs (C)(4) and (C)(6) of OAC 3701-29-03, respectively. Additionally the registration fee required in OAC 3701-29-03(C)(1) shall be waived.
B. When the registered installer performs the duties of an installer on only the registrant’s personal residence, the registration fee, liability insurance and financial assurance requirements found in OAC 3701-29-03(C)(1), (C)(4) and (C)(6) shall be waived.

Also see OAC 3701-29-03

400.04 **Survey to determine compliance**
See OAC 3701-29-04, no additional regulations are adopted under this section.

400.05 **Fees and fee categories**
A. Fees and fee categories for the purposes of administering and enforcing the requirements of OAC 3701-29 shall be found in Chapter Ch. 101 Fees of the EHC.

Also see OAC 3701-29-05

400.06 **General provisions and prohibitions**
See OAC 3701-29-06, no additional regulations are adopted under this section

400.07 **Soil evaluation and soil evaluators**
See OAC 3701-29-07, no additional regulations are adopted under this section.

Administrative note(s):
SCCGHD staff will conduct soil evaluations in accordance with OAC 3701-29-07(A)(4) and (C), the applicant does have the choice of utilizing SCCGHD for this service or hiring an evaluator meeting the requirement of OAC 3701-29-07.

400.08 **Subdivisions and new lots**
See OAC 3701-29-08, no additional regulations are adopted under this section.

Administrative note(s):
A. Final approval of major subdivisions served by STS is determined by Board of Health approval, SCCGHD Resolution 10-74, passed February 12, 1974.

B. The developer of a major subdivision or his/her agent shall request an evaluation by the Ohio Environmental Protection Agency and the Summit County Sanitary Engineer of the proposed allotment for water service and construction or connection to an existing or proposed sanitary sewerage system and sewage treatment facility. The applicable Clean Water Quality Plans (208 Plans) for the Lake Erie and Ohio River watershed basins will also be reviewed for consistency in determining sanitary sewer availability and eligibility to install individual STSs for minor and major subdivisions.

C. As a condition of Board of Health approval, the following language shall appear on the Final Plat of any Board of Health approved major subdivision:

BOARD OF HEALTH PLAT RESTRICTIONS
THIS SUBDIVISION HAS BEEN DESIGNED TO PROVIDE FOR ON-SITE HOUSEHOLD SEWAGE TREATMENT SYSTEMS (HSTS). HOWEVER, NO GUARANTEE OF SATISFACTORY OPERATION OF EACH HSTS IS MADE OR IMPLIED. ALL PERSONS, INCLUDING CORPORATIONS, WHO NOW OWN OR SHALL HEREAFTER ACQUIRE ANY LAND DESCRIBED IN THIS PLAT, SHALL BE TAKEN AND HELD TO AGREE WITH OWNER OF ABOVE-DESCRIBED LAND AND WITH ITS SUCCESSORS AND ASSIGNS TO CONFORM TO AND OBSERVE THE FOLLOWING RESTRICTIONS AND STIPULATIONS AS TO THE USE THEREOF AND CONSTRUCTION OF IMPROVEMENTS THEREON UNTIL SUCH TIME AS THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT (HEALTH DISTRICT) DETERMINES THAT SAID RESTRICTIONS AND STIPULATIONS ARE NO LONGER REQUIRED TO WIT:

1. Prior to the transfer of a deed or other instrument of conveyance for a lot within this subdivision, the grantee or grantor shall secure the approval of the Health District for the
location and design of an STS and location of the private water system for the lot being transferred. No variance will be granted for any lots on which conditions not meeting the sanitary regulations of the Health District are found.

2. Acceptance by the grantee or his agent of the Health District's STS Plan constitutes an agreement by the grantee and his heirs or assigns to locate and construct the home and to locate and construct the STS and private water system as set forth in the plan and to operate and maintain such STS as set forth by the Health District, until such time as the construction of a public sanitary sewer system which will serve the lots in the subdivision, at which time grantee shall connect to such system.

3. The subdivision plat may illustrate the proposed location of a STS and replacement area, alternative locations for the STS and replacement area may be possible as long as all Health District codes can be met, without requiring a Board of Health variance. All building shall be located to conform to the isolation distances from the designated STS and replacement area.

4. There shall not be constructed nor caused to be constructed any structure, building, device, driveway, parking area, swimming pool, livestock enclosure, geothermal heating/cooling device, or other obstruction on the portion of the lot designated by the Health District to be used for the STS or on any area designated for replacement of said system.

5. Grantee must conform all landscaping and final grading on any lot within this subdivision to the operation of said lot's STS. Grantee must construct and maintain surface water diversion and/or surface drainage to conform with proper operation of the HSTS as such construction and maintenance are needed.

6. Except the subdivision described on this plat, there shall be no further subdivision of lands on this plat for the purpose of creating additional building sites without the consent of the Board of Health.

7. The grantee, by ownership of any lot, whether expressly stated or not in the deed or other instrument of conveyance, consents to the construction of a public sanitary sewer system which will serve the lots in this subdivision. In the event of the construction of the aforesaid sewer servicing this subdivision, the grantee shall connect to said system and pay all lawful assessments, fees, or charges incurred in connection therewith. (See also paragraph B.)

8. Once construction of an STS is completed and until the STS has been abandoned due to sewer connection or other reason, the Health District reserves the right to periodically inspect the operation of each HSTS on each sublot within this subdivision and charge a reasonable fee to the owner of the sublot for the operation inspection.

9. The seller of any sublot within this subdivision has the responsibility of making any potential buyer of any sublot within this subdivision aware of these plat restrictions.

400.09 Site review and permits for STS installation and operation

A. Operational permits. Approximately 33,000 households are served by individual household sewage treatment systems in Summit County. SCCGH will apply a phased approach to implementing periodic operational permits to each STS in Summit County until all systems are covered. Notice of operational permits will be issued in the following order:

1. HSTS covered under the NPDES permit since January 1, 2007 will require an annual operation permit.

2. Non-discharging STS installed since January 1, 2007 will be covered under an operation permit with a renewal frequency of 2 (two) years.

3. Known discharging HSTS which were installed prior to January 1, 2007 and which are not covered under the NPDES permit will require a 2 (two) year operation permit. System install in odd number years will be invoiced and issued in odd number years. Likewise, systems install in even number years will be invoiced and issued in even number years. Operation permits for discharging systems for which the year of installation is not known will be invoiced and issued based on the year the home was constructed based on Summit County Fiscal Officer data.
4. Non-discharging STS installed prior to January 1, 2007 and were approved under variance from the Board of Health or in Board of Health approved major subdivision, will invoiced and issued operation permits every 2 (two) years.

5. Systems of unknown design and unknown date of construction will be invoiced and issued operation permits every 2 (two) years.

6. Non-Discharging STS that are over 30 years of age will be invoiced and issued operation permits every 2 (two) years.

7. All other Non-discharging STS installed prior to January 2007 will be invoiced and issued operation permits every 2 (two) years.

B. See Appendix A for service requirements STS and GWRS types. As the Ohio Department of Health approves new system technologies and designs, Appendix A will be updated. Appendix A is a supplemental aid to the code to provide a general guidance for maintenance requirements. Individual operation permits will be provided upon issuance and will specify maintenance requirements as well as any special permit terms and conditions. Each individual operation permit must be consulted for full details on terms and conditions.

C. Operation permit fees shall be established in EHC Chapter 101.

Also see OAC 3701-29-09.

Administrative note(s):

D. Prior to 2007, installation permits were considered to act as an operation permit once the system had been installed, inspected and approved. There was not an additional charge for an operation permit. Beginning in 2007, SCPH septic system installation permits have notified property owners that in the near future an operation permit would be required and charged. This had not been implemented as we have been awaiting the outcome of new State rules.

E. Operation permit fees will be utilized to cover the administrative and direct costs of implementing the rules, tracking existing septic systems, providing homeowner education, digitizing septic records, providing quality assurance of the aspects of the rules that expand private industry’s role in servicing and inspecting sewage treatment systems.

400.10 STS designers and designs
See OAC 3701-29-010, no additional regulations are adopted under this section.

Administrative note(s):

A. SCCGHHD does not provide the service of a STS or GWRS designer. Permit applicants must have a plan designed by a competent designer, surveyor and/or engineer.

400.11 Flow estimation and waste strength
See OAC 3701-29-11, no additional regulations are adopted under this section.

400.12 Tanks, pumps and controls, and building sewers
See OAC 3701-29-12, no additional regulations are adopted under this section.

400.13 Product standards and approval
See OAC 3701-29-13, no additional regulations are adopted under this section.

400.14 Effluent quality standards
See OAC 3701-29-14, no additional regulations are adopted under this section.

Administrative note(s):

B. SCCGHHD has not set more stringent nutrient standards at this time.

400.15 General soil absorption standards
See OAC 3701-29-15, no additional regulations are adopted under this section.

Administrative note(s):
C. SCCGHD has not set local vertical separation distance or in situ soil depth requirements at this time. Therefore, minimum vertical separation will default to 12 inches and unsaturated in situ minimum will default to 8 inches.

400.15.1 Low pressure distribution
See OAC 3701-29-15.1, no additional regulations are adopted under this section.

400.16 Site drainage
See OAC 3701-29-16, no additional regulations are adopted under this section.

400.17 Gray water recycling systems
A. 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. Also see OAC 3701-29-17.

400.18 Privies and holding tanks
See OAC 3701-29-18, no additional regulations are adopted under this section.

400.19 STS operation and management, and owner education
A. Operation Inspections:
   1. An operation inspection fee shall be set forth in Chapter 101 of the EHC. The fee shall not be levied more frequently than once within a two year period for systems installed prior to January 1, 2015, except for NPDES approved systems installed after 1/1/2007 which require an annual operation permit cycle. The fee for the inspection will be billed to the property owner following the operation inspection. If sampling of wastewater quality is necessary, the laboratory fees associated with the testing will also be charged to the property owner.
   2. The operation inspection fee shall be waived if the property owner demonstrates the required O&M of their system in lieu of having a board of health inspection conducted when an inspection is otherwise required in compliance with OAC 3701-29-19(D).
   3. Operation inspections and an operation inspection fee will be implemented over a multiyear period. Inspections will be implemented based on the following priorities:
      i. When an inspection is necessary due to an identified water pollution investigation or nuisance investigation.
      ii. STS which are designed to discharge effluent or are otherwise discharging effluent onto the ground surface, and open or closed ditch, field tile, storm sewer creek, stream or other body of water.
      iii. STS which have been installed since January 1, 2007.
      iv. STS which were granted a Board of Health variance.
      v. STS in major subdivisions create with the approval of the Board of Health.
      vi. STS which for which permit records indicate are 30 years old or older.
      vii. STS which have no written records indicating the age or type of STS.
      viii. All other STS
B. Building construction, remodeling, reconstruction, additions to structures on parcels served by STS and preservation of STS area and replacement area.
   1. If public sewers are not available to an existing STS; no further lot split or lot reconfiguration, no new construction, addition, alteration or reconstruction to any building or structure or land excavation shall be permitted unless the Health Commissioner has determined that:
      i. The lot split, building project, or land excavation will not damage or threaten the existing STS.
      ii. The lot split, building project, or land excavation will not decrease the potential of
replacing the STS in the future when the STS fails.

2. Application for this review will be made on a form provided by the Health Commissioner. The property owner or the owner’s authorized agent shall submit design plans or a scale drawing to explain the project and to demonstrate that the property contains adequate replacement area that can accommodate a STS. A review fee is to accompany the application as set forth in EHC Chapter 101. The existing STS must be functioning to the satisfaction of the Health Commissioner or the owner must obtain a permit to repair or replace the system prior to approval to build or split. Once the STS area and a STS replacement area are identified, portions of the property outside this designated area may be considered for further development of the property. If the project increases potential occupancy the dwelling, the Health Commissioner may require expansion of the STS or installation of a new STS to accommodate the potential increase in wastewater flow. Once the Health Commissioner has determined that the project is in compliance with this rule, a zoning and/or building permit release approval will be issued. The review is necessary to prevent damage to the STS or future replacement area. Replacement areas are not to be cut, filled or compacted.

C. STS soil treatment field restoration through soil fracturing: The Health District does not have sufficient independent evidence to consider soil fracturing to be an effective means of improving the function of a STS. However, if a property owner chooses to contract with a registered STS installer for such service, the following limitations apply: soil fracturing may not be used on filter devices (such as, mounded and subsurface sand filters.) If the performance of the STS fails to improve within sixty days of the soil fracturing process to a satisfactory function, as determined by the Health Commissioner, the system must be replaced accordingly.

D. If the effluent of a septic tank, lift station, or distribution box, must be pumped to complete repair work, the effluent must be pumped by a registered liquid waste hauler prior to performing any work on the repair and may not be discharged to the surface of the ground. Such action by an installer, service provider or septage hauler shall be subject to suspension or revocation of registration.

E. Point of Sale inspections of STS: Inspection of STS is required when a property utilizing a STS transfers ownership. See EHC Chapter 804 Point of Sale Inspections.

F. Effluent samples for monitoring required by the household general NPDES Permit may be collected by a representative of the Board of Health or by a registered service provider in concordance with protocols established the department or Ohio EPA. See OAC 3701-29-19, no additional regulations are adopted under this section.

Administrative note(s):
  i. SCCGHHD has not established a household sewage treatment district at this time.
  ii. The new State rules do permit the owner to forgo a SCCGHHD inspection and fee if they show that O&M requirements are being met. In most cases this will involve inspection by a registered service provider. As part of quality assurance needs, SCCGHHD staff will inspect a sampling of the work performed by service providers by visiting properties where the service provider has reported service. These audit inspections will not be charged to the property owner but are covered in the cost of the periodic operation permit required to be maintained by the property owner.

400.20 Septage and sewage management
See OAC 3701-29-20, no additional regulations are adopted under this section.

400.21 STS abandonment
  A. No person shall abandon a STS or SFOSTS without obtaining an abandonment permit.
  Also see OAC 3701-29-21.

400.22 Variances and more stringent standards
See OAC 3701-29-22, no additional regulations are adopted under this section.

400.23 Verification of compliance, enforcement and hearings
See OAC 3701-29-23, no additional regulations are adopted under this section.

Appendix A: Operation Permits Terms and Service Requirements.

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<tr>
<th>System Type</th>
<th>Service Contract Maintenance Requirements</th>
<th>Frequency of Service</th>
<th>Permit Term</th>
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</table>
| **AERATOR** (discharging aerobic treatment system installed prior to January 1, 2007) | 1. Check sludge levels in trash trap/tank and pump when needed  
2. Check fail safe systems where applicable  
3. Check aerator, pump and high water alarm  
4. Check UV light or chlorine disinfection to see if functional; refill or replace chlorine or UV bulb as needed  
5. Check and clean filters  
6. Check the inspection port  
7. Check discharge pipe for obstructions and damage  
8. Evaluate final effluent quality to determine if a nuisance is present | Once every year 2 years | 2 years |
| **DRIP DISTRIBUTION**                           | 1. Comply with drip assurance approval and maintenance guide lines                                                                                                                                                                           | 2 times per year 2 years | 2 years   |
| **EVAPOTRANSPIRATING OR LEACHING TRENCHES** (pretreatment to trenches) | 1. Check diversion and distribution boxes  
2. Check for ponding and/or surfacing sewage effluent over trenches  
3. Check that interceptor and curtain drains are clear of debris and effluent  
4. Check distribution boxes for structural integrity and surface water infiltration  
5. Must meet all manufacturer’s requirements of the pretreatment components | Once every 2 years 2 years | 2 years   |
| **FILTER BED** (discharging filter bed system installed prior to January 1, 2007) | 1. Check sludge levels in trash trap/tank and pump when needed  
2. Check distribution box  
3. Check the inspection port  
4. Check discharge pipe for obstructions and damage  
5. Evaluate final effluent quality to determine if a nuisance is present | Once every 2 years 2 years | 2 years   |
| **GREY WATER RECYCLING SYSTEM**                 | 1. Requirements will be determined individually and based on system design and capacity.                                                                                                                                                   | To be determined 2 years | 2 years |
| **LOW PRESSURE** (low pressure distribution system as defined in 3701-29.15.1 (B)) | 1. Check for ponding in the distribution area  
2. Check for surface water infiltration or clear water flows from the dwelling or structures into the system components and around or onto the soil absorption area  
3. Check the vegetative cover for erosion or settling and any evidence of settling or seepage in the area of the soil absorption component  
4. Monitor for proper operation of mechanical devices  
5. Monitor the dose volume and operating pressure head of the distribution system and compare to baseline measurements for flushing of distribution laterals  
6. Review and document the presence of event counters, elapsed time meters, flow meters and alarm conditions | 2 times per year 2 years | 2 years |
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| **NPDES** (discharging aerobic treatment system) | 1. Check sludge levels in trash trap/tank and pump when needed  
2. Check fail safe systems where applicable  
3. Check aerator, pump and high water alarm  
4. Check UV light or chlorine disinfection to see if functional, refill or replace chlorine or UV bulb as needed  
5. Check and clean filters  
6. Evaluate final effluent quality to determine if a nuisance is present  
7. Comply with all manufacturer requirements for NPDES systems  
8. Comply with all EPA permit requirements including once a year sampling of effluent | 2 times per year | 1 year |
| **SAND FILTER** (installed after January 1, 2015 and as defined in 3701-29-13) | 1. Check vegetative cover for erosion or settling and any evidence of seepage on buried TDSF  
2. Flush distribution laterals  
3. Check for ponding in the distribution area  
4. Monitor the dose volume and operation pressure head of the distribution system  
5. Check for any surface water infiltration or clear water flows from the dwelling or structures into the system components or around the TDSF | 2 times per year | 2 years |
| **SEPTIC TO LEACHING** (septic tank to leaching component) | 1. Check sludge level in tank and pump when needed  
2. Check splitter box and/or distribution boxes for functionality and cracks  
3. Check for ponding and/or surfacing sewage in leaching component area and verify that no sewage overflow pipes have been installed  
4. Check for surface water infiltration and/or clear water flows into the system components or onto or around the soil absorption area from the dwelling or structures  
5. Check that the interceptor and/or curtain drains are clear of debris and effluent, when applicable | Once every 3 years | 2 years |
| **SPRAY IRRIGATION** | 1. Check sludge levels in trash trap/tank and pump when needed  
2. Check fail safe systems where applicable  
3. Check aerator, pump and high water alarm  
4. Check UV light or chlorine disinfection to see if functional; refill or replace chlorine or UV bulb as needed  
5. Check and clean filters  
6. Comply with all manufacturer requirements for system  
7. Turn on irrigation system to check spray head function and spray pattern; repair, adjust, or replace spray heads as needed.  
8. Check for ponding and runoff  
9. Place several rain gauges in the irrigation area to check the depth of application (The system should apply no more than 0.2 inches per day to prevent ponding or runoff.)  
10. Check for landscaping changes that interfere with system operation | 2 times per year | 2 years |