

## PROPOSED AMENDMENT TO SEWAGE REGULATIONS

The Board of Health of the Huron County General Health District, Ohio hereby presents notice of public hearing on February 5, 2010 at 1:00 p.m. in the Huron County Administration Building, 180 Milan Avenue, Norwalk.

Resolution 2009-14 Amendment to the Regulation for the Administration of the Household Sewage Treatment System Program (HSTS) to add the Regulation for the Administration of the Small Flow On-Site Sewage Treatment System Program (SFOSTS) will also be read on December 10 and January 7. A copy of the proposed amendment is on file with the clerk of the Board of Health and online at [www.huroncohealth.com](http://www.huroncohealth.com).

OAC Chapter 3701-29 defines a SFOSTS as a system, other than a HSTS, that treats not more than 1,000 gallons of sewage per day and does not require permit(s) under ORC §6111. A structure or structures serviced by a SFOSTS shall include but not be limited to: (1) vacation rental cabins with multiple cabins served by a SFOSTS; (2) A dwelling and an ancillary building both served by an SFOSTS where the ancillary building may be open to the public and is used by more than the residents of the dwelling; (3) Two dwellings, including arrangements such as a dwelling and a detached garage with living space; (4) A dwelling with a home business that may be open to the public, generates sewage in excess of the daily design flow or waste strength for a HSTS, and has no wastewater other than sewage going to the SFOSTS.



**HURON COUNTY GENERAL HEALTH DISTRICT**  
Timothy Hollinger, MPH, Health Commissioner

180 Milan Avenue, Suite 8  
Norwalk, OH 44857  
e-mail: information@huroncohealth.com

419-668-1652 or 1-888-694-2443 Toll-Free  
419-668-5423 General Fax  
419-660-0129 Environmental Health Fax

**RESOLUTION 2009-14**

**Amendment to the Regulation for the Administration of the Household Sewage Treatment System Program to add the Regulation for the Administration of the Small Flow On-Site Sewage Treatment System Program**

**WHEREAS** a board of health of a general health district, under provisions of Chapter 3718 of the Ohio Revised Code and in accordance of Chapter 3701-29 of the Ohio Administrative Code, may assume authority and regulate Small Flow On-Site Sewage Treatment Systems (SFOSTS); and

**WHEREAS**, the Board of Health of Huron County General Health District, State of Ohio, provides notice to the Director of Health and the Director of Environmental Protection in compliance with Chapter 3701-29-21 of the Ohio Administrative Code for such; therefore

**BE IT RESOLVED**, said Board of Health, in its commitment to the Ohio Department of Health and the Ohio Environmental Protection Agency, hereby amends to the Huron County General Health District Household Sewage Treatment System Regulations with Amendment A Small Flow On-Site Sewage Treatment System Chapter 3709-29-21 of the Ohio Administrative Code effective February 15, 2010.

First Reading December 10, 2009

Second Reading January 7, 2010

Third Reading February 5, 2010

On this 5<sup>th</sup> day of February 2010 \_\_\_\_\_ made the motion to approve Resolution 2009-14 as read. \_\_\_\_\_ seconded the motion. The motion carried upon roll call vote.

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Kathleen Butler, LPN

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Mr. Fred Eldred

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James Gottfried, M.D.

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Mr. David Hester

\_\_\_\_\_  
President Jean Kelley, RN

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Vice President William Knapp

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Mr. John Loose

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Secretary Timothy Hollinger, MPH



**Small flow on-site sewage treatment system.**

(A) "Small flow on-site sewage treatment system (SFOSTS)" means a system, other than a household sewage disposal system, that treats not more than one thousand gallons of sewage per day and that does not require a national pollutant discharge elimination system permit issued under section 6111.03 of the Revised Code or an injection well drilling or operating permit issued under section 6111.043 of the Revised Code. A structure or structures served by a SFOSTS shall include but is not limited to:

- (1) Vacation rental cabins with multiple cabins served by an SFOSTS.
- (2) A dwelling and an ancillary building both served by an SFOSTS where the ancillary building may be open to the public and is used by more than the residents of the dwelling.
- (3) Two dwellings, including arrangements such as a dwelling and a detached garage with living space.
- (4) A dwelling with a home business that may be open to the public, generates sewage in excess of the daily design flow or waste strength for an HSTS, and has no wastewater going to the SFOSTS other than sewage as defined in this rule.

(B) Rules 3701-29-01 to 3701-29-21 of the Administrative Code apply to SFOSTS that are under the jurisdiction of a board of health in compliance with this paragraph.

- (1) The board of health has determined that all applicable provisions of the rules related to SFOSTS can be fully implemented under its authority.
- (2) The board of health has committed to maintaining the necessary resources to support implementation of all applicable rules.
- (3) The board of health has sent a letter of notification to the director of health and the director of environmental protection at least sixty days prior to the date when the board of health will assume authority for SFOSTS. The letter of notification shall include the intended date for transfer of jurisdiction and shall indicate compliance with paragraphs (B)(1) and (B)(2) of this rule.

It is recognized that certain design standards for SFOSTS authorized in Chapter 3701-29 of the Administrative Code differ from those standards for on-site systems regulated under Chapter 3745-42 of the Administrative Code due to operation permit requirements for SFOSTS in paragraph (E) of this rule. As such, differences in design standards between these two chapters of the Administrative Code should not be construed as a conflict of law.

(C) SFOSTS shall comply with the following performance requirements and prohibitions:

- (1) An SFOSTS shall not discharge to an abandoned well, drainage well, a dry well or cesspool, a sink hole or other connection to ground water. If

classified as a class V injection well, an SFOSTS shall comply with 40 C.F.R. 144 (as published in the July 1, 2005 Code of Federal Regulations) and the registration requirements pursuant to rule 3745-34-13 of the Administrative Code.

- (2) An SFOSTS shall not be permitted for the holding, treatment, or dispersal of industrial waste or storm water for industrial activities. For the purpose of this rule, the normal use of housekeeping products does not constitute industrial waste. Any waste prohibited for introduction into an SFOSTS by the Ohio environmental protection agency regulations shall be source separated and regulated by Ohio environmental protection agency.
  - (3) An SFOSTS shall not be sited within the sanitary isolation radius of a public water system as determined in accordance with rule 3745-09-04 of the Administrative Code. An SFOSTS shall have additional design and/or management controls when sited within the inner management zone of a drinking water source protection area determined to be highly susceptible to contamination by the Ohio environmental protection agency source water assessment and protection program for a community or non-transient non-community public water system as defined in rule 3745-81-01 of the Administrative Code.
  - (4) A board of health that has assumed authority for SFOSTS in accordance with paragraph (B) of this rule shall not permit a privy or holding tank for an SFOSTS. Except as permitted for a household sewage disposal system by a board of health, holding tanks are subject to the requirements of the Ohio environmental protection agency under rule 3745-42-11 of the Administrative Code.
- (D) The flow and waste strength characteristics of an SFOSTS shall be addressed in accordance with the following provisions:
- (1) The owner or owner's agent shall provide information on the sources of sewage from the structure or structures to be served by an SFOSTS for the board of health determination of compliance with this rule. The board of health may require submission of building and plumbing plans including plumbing fixture details and other information as needed.
  - (2) The daily design flow estimate for an SFOSTS shall comply with the following general provisions:
    - (a) The daily design flow for an SFOSTS shall be determined in accordance with table A-1 of rule 3745-42-05 of the Administrative Code. For an SFOSTS with periodic large daily flows that are stored to avoid exceeding the one thousand gallon per day treatment limit, the peak daily design flow shall be greater than the average of the daily flows and no actual daily flow shall exceed three thousand five hundred gallons.
    - (b) An increase in the daily design flow estimate for an SFOSTS shall be required by the board of health when there is an indication that the flows established in accordance with paragraph (D)(2)(a) of this rule will

be exceeded. Any required increase in daily design flow shall be documented on the installation permit and operation permit.

- (c) A reduction in daily design flow for an SFOSTS may be approved by the board of health when the information submitted indicates conditions that justify reduced flow such as limited fixtures, waterless toilets, or other circumstances that may warrant a reduction in daily design flow. Any approved reduction in daily design flow shall be documented on the installation permit and operation permit.
- (3) The waste strength estimate for an SFOSTS shall be determined for design purposes in accordance with the following general provisions:
- (a) When the waste strength for an SFOSTS is expected to exceed or has exceeded typical residential waste strength, the design plan shall include loading calculations using values in accordance with table A-1 of rule 3745-42-05 of the Administrative Code. Any variation from the loading table values shall be justified in the design plan including waste strength characterization information. Board of health approval for any reduction or increase in loading estimates shall be documented on the installation permit and operation permit.
  - (b) Additional pretreatment shall be provided to assure that the SFOSTS soil absorption component receives a waste strength within the range of typical residential sewage. The method of pretreatment to reduce waste strength shall be justified in the design plan, reviewed by the board of health for compliance with this rule, and, if approved, shall be documented on the installation permit and operation permit.
  - (c) When an external grease interceptor is a component of the proposed pretreatment to reduce waste strength, the external grease interceptor shall be located, designed, and installed in a manner that will allow access for inspection and maintenance, including the following:
    - (i) A source segregated inlet line, when feasible;
    - (ii) Sized to account for flow volume and temperature; and
    - (iii) Watertight access risers extended to grade with secure covers.
- (E) An operation permit shall include provisions to assure the proper operation and maintenance of an SFOSTS when the board of health has expanded its local authority through the regulation of SFOSTS in accordance with this rule.
- (F) When a board of health has taken responsibility for SFOSTS in accordance with this rule, the board of health shall notify the Ohio environmental protection agency within sixty days when an SFOSTS that was previously permitted to be installed by the Ohio environmental protection agency has been abandoned in accordance with this chapter.

Effective: 07/30/2007

CERTIFIED ELECTRONICALLY

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Certification

07/30/2007

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Date

Promulgated Under: 119.04  
Statutory Authority: Sec. 120.02 of Am. Sub. HB 119 (127<sup>th</sup> G.A.)  
Rule Amplifies: Sec. 120.02 of Am. Sub. HB 119 (127<sup>th</sup> G.A.)  
Prior Effective Dates: 7/2/2007