

**REGULATIONS OF THE BOARD OF
HEALTH OF THE CLERMONT
COUNTY GENERAL HEALTH
DISTRICT**

Regulation 415

**SEWAGE TREATMENT SYSTEM
RULES**

February 1, 2015

Clermont County General Health District

Sewage Treatment System Rules Regulation 415

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415-01 DEFINITIONS

The definitions used in these rules are the same as those in Ohio Revised Code 3701-29.

415-02 PURPOSE AND SCOPE

- A) The purpose of these STS rules is to establish local HSTS and SFOSTS rules of specific application including standards for siting, design, installation, alteration, operation, monitoring, maintenance, and abandonment of a STS to protect public health and the environment.
- B) The scope of these rules includes the performance of STS components, persons, agencies, and organizations as these relate to the effective management of STS and SFOSTS in Clermont County, including the siting, design, installation, alteration, operation, monitoring, maintenance, and abandonment of a STS.

415-03 AUTHORITY, APPLICABILITY, AND RELATED PROVISIONS

- A) Unless otherwise specified, the rules apply to both HSTS and SFOSTS, referred to jointly as STS. When the rules specifically address SFOSTS, the provisions only apply to those SFOSTS that are under the jurisdiction of Clermont County General Health District per ORC 3718.021.
- B) These rules have been developed under OAC 3701-29-22 (C) and shall apply to all STS permitted to be installed or altered pursuant to these rules after the effective date of this section. In cases where the board of health has provided written approval for a household sewage treatment system prior to January 1, 2015, the board of health shall permit the installation of the household sewage treatment system provided the household sewage treatment system approval and the written approval is not more than 5 years old.

415-04 RESPONSIBILITY FOR COMPLIANCE, DEMONSTRATION OF COMPETENCY, AND REGISTRATION REQUIREMENTS

- A) A designer shall comply with the requirements of these rules and all other applicable laws and rules when submitting design plans for a STS, including details on system components, construction, and O&M sufficient for regulatory review and determination of compliance. Design plans shall be completed in accordance with rule 415-06 of these rules.
 - 1) Estimate and report any expected variations in STS daily design flows and SFOSTS pollutant concentrations and mass loads exceeding residential waste strength.
 - 2) Select approved and appropriate system components capable of meeting performance requirements based on site and soil evaluation information.
 - 3) Prepare scaled design plan, profile, and detail drawings depicting STS layout, dimensions, and materials and equipment specifications including construction, and O&M information.
 - 4) Conduct installation oversight as necessary.

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- B) Any person who alleges to be an aggrieved party shall give written notification to the surety, the board of health, and the installer or septage hauler as applicable within one year of the date of completion of the work on the STS. The board of health may conduct an investigation as necessary to determine if a violation of these rules has occurred.

415-04.1 INSTALLERS

- A) A registered installer shall provide proof of compliance with any training, qualification, or certification conditions required for a component or system and shall comply with any installation instructions in accordance with an installation permit issued by the board of health.
- B) As a condition of an installation permit, a registered installer shall warrant that the STS has been installed in accordance with all applicable rules and design specifications. A registered installer shall prepare and submit an as-built record for each completed installation in accordance with paragraph (C) of rule 415-06 of these rules.
- C) Any person with an open expired installation permit is not eligible to obtain another permit until the open permit is resolved. Exceptions to this rule will only be made on a case by case basis by the Health Commissioner.

415-04.2 SEPTAGE HAULERS

Land application of septage is not permitted within Clermont County except for the properly treated waste from a composting toilet which can be applied to the property where it is generated.

415-04.3 SERVICE PROVIDERS

- A) [A service provider shall demonstrate competency by](#) providing proof of compliance with any training, qualification or certification conditions required by the manufacturer or distributor of a component or system and shall comply with O&M requirements in accordance with an installation permit or operation permit issued by the board of health.
- B) A registered service provider shall comply with any reporting or records retention requirements established by these rules.
 - 1) Receive routine training from the manufacturer/distributor for all types of pretreatment devices that the registrant intends to operate and maintain. Proof of training will be required and kept in the registrant's file.
 - 2) Registrant shall attend training from the Health District or other source approved by the Health Commissioner for non-proprietary mound system components. Proof of this training will be required and kept in the registrant's file.
 - 3) Each Service Provider agrees to provide at least an annual service contract for each STS they operate and maintain.

- 4) Service providers must submit a list of systems under contract each year.

415-05 SEWAGE TREATMENT REQUIREMENTS

- A) When off-lot disposal of sewage effluent requires the crossing of adjacent properties to reach the point of discharge a recorded easement or the use of a legally established, publicly maintained drainage improvement from the dwelling lot line to the point of discharge shall be required.
- B) All discharging HSTS designs shall be submitted through a designer. Site and Soil evaluation requirement will be waived upon receipt of the approval letter from the Health District for coverage under Ohio EPA's discharge permit.
- C) Due to the nature of repair situations a Sewage Nuisance Abatement and Remediation Plan may be exempt from Section 415 as long as it meets the following:
 - 1) It eliminates a Public Health Nuisance; and
 - 2) It takes the economic impact of a full replacement into consideration; and
 - 3) All sewage nuisance abatement and remediation plan interim phases shall lead to a final system that is in compliance with OAC 3701-29 and these regulations.
- D) When a home is demolished the STS shall be abandoned unless the homeowner requests in writing that it be saved for possible future use. If a new home is proposed on the lot the new home must have a new STS installed unless the existing system meets all the following conditions.
 - 1) The Health District has a record of the existing Sewage Treatment System's original installation permit or as-built. An exception for this requirement will be given to existing Aerobic Treatment Units (ATUs) in good physical and operational condition.
 - 2) The Operation Permit record shows no history of failures on the last two completed assessments.
 - 3) The number of bedrooms is equal to or less than the original home.

415-06 LAYOUT PLANS, DESIGN PLANS AND AS-BUILT RECORDS

- A) For all new home constructions either a layout plan or a design plan shall be required from a source outside of the Health District. Changes to either of these plans must be signed off on by the designer, installer and Health District representative. Approval from the homeowner may also be required.
- B) A registered installer may submit a Layout Plan for the installation of a STS. A layout plan shall utilize only non-proprietary components and must include a benchmark and grade elevations staked at the site for all critical components. Those components shall be placed on the landscape according to the results of the site and soil survey. Layout plans shall make every attempt to reduce the complexity and cost of maintenance that homeowners will incur over the life of the system. A layout plan shall include:

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- 1) A site plan drawn to scale on eight and a half inch by eleven inch or larger paper showing HSTS layout elevations corresponding to flagged or staked locations at the site. The designated HSTS area shall be protected from disturbance. The site plan shall also verify horizontal isolation distances and include the designated area for complete relocation and replacement of the STS.
 - 2) Written details on the daily design flow, selected loading rates based on the site and soil evaluation, system configuration with absorption area dimensions, and, if applicable, pump selection information and pressure distribution network description and calculations.
 - 3) Product information and written description of materials and system components including size of all tanks and distribution component materials including mechanical distribution and diversion mechanisms.
 - 4) Manufacturer O&M requirements or instructions for components not addressed in general O&M information available through the Health District or the department of health.
 - 5) Any additional information requested by the Health District related to components, materials, and installation or O&M specifications.
- C) A design plan in compliance with this paragraph shall be required unless a layout plan is provided by a registered installer in compliance with paragraph (B) of this rule. A design plan shall be legible, readable, and of sufficient detail to demonstrate compliance with the provisions of OAC 3701-29 and these rules. Design plans shall make every attempt to reduce the complexity and cost of maintenance that homeowners will incur over the life of the system. A design plan shall include:
- 1) Documentation of the rationale for design decisions used to address site and soil limitations including justification for selected loading rates and the use of any soil depth credits. The site and soil evaluation shall be available with the design plan.
 - 2) Description of the dwelling and/or structures to be served by the STS with a designated daily design flow including any anticipated variations. The STS shall be designed to handle peak daily design flows or the design shall include flow equalization with designated reserve and surge capacity and timed dosing in compliance with section 415-08 of these rules.
 - 3) Description of the treatment processes used to meet performance requirements including information necessary to confirm compliance with any applicable NPDES effluent quality standards or applicable standards established in section 415-09 of these rules. In addition, if applicable, documentation of pollutant concentrations and mass loading in excess of residential waste strength, including the design for treatment to reduce higher strength wastewater to typical residential waste strength prior to distribution to a soil absorption component.
 - 4) Plan notes designating that the STS area shall be protected from disturbance, and additional plan notes as needed to explain any siting, installation, or O&M

requirements or restrictions, including any preconstruction meetings at the site, conditions on the selection of an installer, STS start-up procedures or other designer-designated conditions.

- 5) A site plan, drawn to a scale of one inch equals fifty feet or less, sufficient to demonstrate compliance with these rules and including but not limited to:
 - a) North directional arrow.
 - b) Identified vertical and horizontal reference point or benchmark with its location clearly marked at the site.
 - c) Designation of the described soil boring and/or excavation locations from the soil and site evaluation.
 - d) Outline of existing and proposed structures, driveways and other hardscapes, and other related items on the property.
 - e) Location of STS components and a replacement area.
 - f) The dimensions of the property with horizontal isolation distances to the STS and replacement area from the items designated in paragraph (E) of rule 415-06 of these rules, including but not limited to private water systems and surface water features.
 - g) Topography for the areas of the dwelling and/or structures to be served and the proposed STS and designated replacement areas including an indication of drainage features in these and surrounding areas.
 - h) Designation of any easements, disturbed areas, or wooded areas within fifty feet of the proposed STS and replacement area, or other site characteristics or obstructions that may affect the installation or operation of the STS.
 - i) Means of access for O&M equipment to service the STS.
- 6) Enlarged plan view drawings of the STS components if the site plan scale does not allow for sufficient detail.
- 7) Profile drawing showing elevations relative to surface grade sufficient to demonstrate compliance with these rules including the invert, or other elevations necessary to assess the hydraulic profile of STS components and any gravity or pumped discharge outlet elevations.
- 8) Plan and section views for the STS components and/or attachments of component and material specification information.
- 9) Installation and O&M instructions or a reference to materials where this information is available.

10) Plan note requiring that the STS installer obtain designer approval prior to any intended changes to the plan and those changes be approved by the Health District prior to implementation.

11) **Additional requirements for design plans:**

a) Site and Soil

1. All site and soil work shall be by a registered soil scientist
2. Soil borings shall be identified at site.
3. Soil sheets shall be submitted for primary area and replacement area.
4. Primary and replacement areas must not be sited in disturbed areas.
5. The infiltrative loading rate and the hydraulic loading rate are conservative and based on the most restrictive soil layer.
6. Primary and replacement areas are sited outside of natural drainage ways.
7. Soil work must identify linear loading rate and available landscape position.
8. Soil work must identify limiting conditions and depths.
9. Soil work will identify slope and shape of slope.
10. Soil borings will be identified on site plan.

b) Floor plan for structure

1. Residential home plans must show all floors.
2. Plans will be used to determine system size based on 120 gallons per day per bedroom.

c) System design requirements

1. System layout must be identified and tied to site plan by surveyor.
2. System is designed to handle peak flows.
3. Tankage size must meet or exceed OAC 3701-29-12.
4. Pumped systems must show surge and reserve levels (80% surge and reserve of peak flow minimum).
5. Tank bedding requirement from manufacture must meet or exceed installation best management practices manual.
6. Tank capacities must be specified in plan or tank sheet must be attached.
7. Float or transducer settings must be shown on plan.
8. Soil absorption designs must reflect the soil work in relation to separation distance and length and width.
9. System design must address surface water conditions.
10. Design must provide detailed specifications of materials such as filter sand, gravel type, leaching chambers, etc.
11. Pumped systems must provide a dosing worksheet that specifies start up information such as flow rate and what range is acceptable.
12. Design shall be specific about components such as laterals, orifice shields and observation ports.
13. Designer will be responsible for detailed installation guidance.
14. Designer will be responsible for detailed O&M information.
15. Designer will identify panel requirements and settings.
16. Designer recognizes that information left out will become subject to the Health District's installation best management practices manual for interpretation.

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17. All design plans are required to have pre-construction conferences and that fact will be identified on the plan.
 18. Design plan will note that an as-built will be required by Health District.
 19. Layout and Design plans must maximize the usable depth of soil and length of the property. Mechanical and proprietary components should only be used in designs to compensate for site limitations.
 20. Systems that require a proprietary treatment device must have specific installation information provided in detailed checklist form.
 21. Systems that use proprietary treatment must have the vendor or independent 3rd party perform system start up to acknowledge system is installed and running correctly. This must be identified on the plan.
 22. The vendor or third party completed system startup must be received by the Health District one working day before installer calls for inspection.
 23. Any system that requires a time dosed control panel or soil depth or area reduction credit for a pretreatment component must provide language requiring a service provider for the life of the system on the plan.
 24. Any proprietary system being introduced to Clermont County shall have a service provider trained and registered prior to design approval.
- D) An as-built record shall be completed by the registered installer for a completed STS installation or alteration as a condition of the installation or alteration permit and as a condition of registration in accordance with rule 415-04.1 of these rules. The as-built record does not substitute for a layout plan or design plan required in accordance with this rule. An as-built record shall include:
- 1) A legible record on eight and a half inch by eleven inch or larger pages with copies provided to the owner and the Health District for inclusion in the permanent system file. Use of layout plan or design plan documents or as-built template forms may be acceptable.
 - 2) Any changes to the approved design plan or layout plan including distances from installed STS components to any items having applicable horizontal isolation distances. A change in location of a STS from that designated on a layout or design plan shall not be made without prior approval by the Health District and shall not violate horizontal isolation distances required by these rules.
 - 3) A designated vertical and horizontal reference point or benchmark with its location marked at the site.
 - 4) Plan view drawing with elevations for installed STS components per the design plan or layout plan.
 - 5) Profile drawings with pipe and component elevations to confirm depths for hydraulic flow, freeze protection, and other related installation functions.

- 6) Any additional information for components and materials may be required by the board of health including but not limited to manufacturer or supplier provision of component installation or O&M instructions and verification of compliance with any start-up procedures or aggregate specifications.
- 7) The as-built record shall include a statement by the registered installer indicating that the STS was installed in accordance with all applicable rules and plan specifications.

415-07 GRAY WATER RECYCLING SYSTEM (GWRS) PERMITS

The installation of any GWRS will require a permit to install. A homeowner that wishes to install a GWRS will submit all the design information for review either as part of an STS application or as a stand-alone application prior to a permit to install being issued. A GWRS designer will submit of the same information as required in section 415-06 (C)

415-08 SEPTIC TANKS, PUMPS, AND CONTROLS

- A) The invert level of the inlet shall be not less than two inches above the liquid level of the tank.
- B) An effluent filter device that retains solids greater than one sixteenth of an inch in size shall be installed in all tanks.
 - 1) The septic tank shall be installed with a minimum of two watertight risers extended above grade to provide access to the inlet and outlet of the tank. The connection of the riser to the tank and the connection of additional riser sections shall incorporate joint grooves or adapters to prevent lateral movement of the riser. Riser lids shall prevent infiltration of water and have secured covers.
 - 2) All tanks shall be installed, bedded, and backfilled to the top edge of the tank with a granular material, to assure the structural integrity of the tank and minimize settling or to manufacturer specifications if they are more restrictive. The tank shall be level. To allow for ease of access, the septic tank shall be installed no deeper than two feet below grade unless the terms of the installation permit allow for greater septic tank depth and the tank is designed to withstand the additional load. Concrete tanks shall be bedded, installed, and back-filled with self-compacting granular material, filling the space in the excavation up to the level of the pipe penetrations, to support the tank walls and support the inlet and outlet pipes. Fiberglass and plastic tanks shall be bedded, installed, and back-filled according to the manufacturers' specifications.
- C) Dosing tanks shall be easily accessible and have secured covers.
- D) Pumps shall meet or exceed system requirements for flow rate and operating head.
- E) The designer and/or installer shall assure that all electrical wiring meets the national electric code.

415-09 PRETREATMENT PROVISIONS

- A) Pretreatment components approved by the director of health under ORC section 3718.04 may be permitted for the purposes of STS size reduction or soil depth credit.
- B) Disinfection units shall not discharge disinfection residuals to a soil absorption component.
- C) Pretreatment components that are housed in a septic tank second compartment or a second septic tank in series shall assure that the pretreatment component design, or the STS design which includes the pretreatment component, prevents passage of solids greater than one sixteenth of an inch in size.
- D) Installation shall be conducted in a manner consistent with manufacturer or designer specifications to allow for proper O&M and monitoring of the pretreatment component. All pretreatment components shall have written O&M instructions with time lines for service and the registered installer and/or designer shall provide the O&M instructions to both the owner and the Health District.

415-10 SOIL ABSORPTION PROVISIONS

- A) Soil absorption components shall maintain a vertical separation distance of at least - two feet to any limiting condition.
- B) Flow rate and distal pressure or operating head shall meet specifications and a baseline shall be recorded for future performance monitoring.
- C) Baseline records and any soil absorption component O&M instructions shall be provided by the installer to both the owner and the board of health as a condition of installation approval.
- D) A registered service provider offering a service contract for a STS that includes a soil absorption component along with the component or components targeted for service, shall also service and/or monitor the soil absorption component.

415-10.1 LEACHING TRENCH REQUIREMENTS

Prior to excavation the registered installer shall check all elevations in the layout plan relative to the established benchmark including the surface contour and proposed bottom elevation of each trench and the flow line elevation of other STS components to assure proper flow through the system.

415-10.2 MOUND WITH PRESSURE DISTRIBUTION REQUIREMENTS

- A) A registered installer providing a layout plan for an HSTS mound shall comply with section 415-06(B) of these rules. While a design plan prepared in accordance with rule 415-06(C) of these rules may vary from the requirements of this paragraph, a layout plan prepared by a registered installer shall comply with the following requirements:
 - 1) Conservative loading rate values shall be selected on sites having depths of less than one foot from the surface of the ground to limiting conditions.

When the daily average flow from a dwelling is expected to exceed sixty percent of a peak daily design flow of one hundred twenty gallons per day per bedroom, the peak daily design flow shall be increased accordingly. The peak daily design flow and the linear loading rate shall establish the minimum continuous length of the mound soil distribution laterals parallel to the natural surface contour.

- 2) The calculations used for determining distribution network, the distribution area width and length, the basal area width and length including any variation due to slope and the subsequent increase in sand fill depth may be required as part of a layout plan. The layout plan may include references to mound resource manuals.
 - 3) The depth of the distribution area shall be at least five inches with a minimum of three inches of durable aggregate beneath the distribution pipe and at least one inch of aggregate over the pipe. Washed or thoroughly rinsed gravel meeting the requirements of ODH Special Device Approval for Sand Mounds with Pressure Distribution may be used for the distribution area unless the layout plans specify the use of other material such as alternative aggregate or proprietary components.
- B) In addition to the applicable installation requirements of rule 415-06(D), a mound soil absorption component installation shall comply with the following requirements:
- 1) The full soil absorption area shall be free of any site disturbance. If any disturbance or damage has occurred, installation shall not proceed and the registered installer shall contact the owner and the Health District.
 - 2) Prior to excavation the registered installer shall check all elevations in the layout plan relative to the established benchmark including the surface contour and the flow line elevation of other STS components to assure proper flow through the system.
 - 3) When site conditions are suitable, the mound soil absorption component shall be installed to meet all of the specifications and requirements of these rules. The as-built record shall provide sufficient documentation of installed components and natural surface grade elevations to prove compliance.
 - 4) The mound shall be installed according to the layout plan and any referenced manufacturer's guidance.
 - 5) The completed STS area shall be protected from erosion through surface water diversion and provision of suitable vegetative cover, mulching, or other specified means of protection.
 - 6) The as-built record shall include the measured height of the distal operating pressure head, system flow rate, and float switch settings as baseline measures for future O&M and monitoring.

415-11 INSPECTIONS

- A) Health District inspections require that accurate information be provided to inspectors for components used in systems (capacity of tanks in gallons per inch, theory of operation of control panels, system flow rates, etc.), in order that the

Health District representative may complete the inspections and approve the system. This information shall be provided by manufacturers, vendors, or installers as necessary before final approval will be given for a system.

- B) No person shall violate these rules, orders issued pursuant to these sections by the board of health, or the conditions of a registration or permit issued in accordance with these rules. Upon determining noncompliance, the board of health shall notify the owner or other responsible party of the determination of noncompliance. The board of health notification shall specify any necessary corrective action and the time line for compliance as applicable.

415-12 OPERATION AND MAINTENANCE, OPERATION PERMIT PROGRAM

- A) O&M in accordance with manufacturer’s instructions shall be met when required as a condition of an operation permit or these rules. This may include a person securing a service contract or being certified for O&M service by a manufacturer in lieu of a required board of health inspection for which an operation permit fee is charged. This shall not preclude the board of health from conducting compliance inspections for general oversight purposes nor from requiring payment of an operation permit fee for O&M management.
- B) All HSTS installed in Clermont County are included in the Operation Permit program and once scheduled, shall be assessed at the following intervals:
 - 1) Any system with an electrical component is assessed once every 19 months.
 - 2) All other systems shall be assessed once every 38 months.
- C) When a HSTS is assessed and found to be operating properly it will be issued an operation permit.
- D) Effective 1/1/2010, any HSTS or small flow commercial system that has been assessed and found to be operating properly for two consecutive assessments and that has not been found in a failing condition at any time between the scheduled assessments and that has not changed ownership during that period will be given an Acceptable Operation and Maintenance (AO&M) designation. In order for an operator to earn the AO&M designation they must meet the following criteria:
 - 1) System must be found in good working order under the Health District’s regular assessment criteria with no code violations of any sort cited.
 - 2) No sewage can be found reaching the surface of the ground.
 - 3) Clear access to all components and discharge points must be maintained at all times
 - 4) All components must be working correctly and easily accessible with no heavy objects on the lid.
 - 5) There can be no broken or missing lids.
 - 6) All outstanding Health District invoices must be paid in full.

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- 7) Property cannot be under orders to connect to the public sewer system.
- E) Any system designated as AO&M will be assessed at the following intervals:
 - 1) Any system with an electrical component is assessed once every 38 months while maintaining the AO&M designation.
 - 2) All other systems shall be assessed once every 76 months while maintaining the AO&M designation.
- F) The AO&M designation is given to a specific homeowner for the onsite system at a single specific address. Whenever a home changes owners, the AO&M designation is voided. The new homeowner/operator at the specific address that previously had the AO&M designation as well as the prior homeowner/operator who had the AO&M designation at their former address must meet the criteria defined in section D before receiving the AO&M designation.
- G) Systems under a Sewage Nuisance Abatement and Remediation Plan (SNARP) are not eligible for this designation until the final step of the plan has been completed.
- H) If Health District staff are conducting a complaint investigation, an accessory structure inspection, a loan inspection, or are on site for any other reason and the system is found in a failing condition the AO&M designation will be voided. Homeowners will be required to abate the nuisance and the system will return to the assessment schedule in place prior to the AO&M designation. Homeowners must meet the criteria established in Section D to re attain the AO&M designation.
- I) Any system that is reported to be failing through the public health nuisance complaint program (Health District regulation 410) will immediately receive an interim Operation Permit assessment. If the system is in a failing condition and is considered a public health nuisance the operation permit will be suspended and the homeowner will be charged a re-assessment fee as well as for any re-inspections required to ensure abatement of the sewage nuisance. If the nuisance complaint is found to be invalid the homeowner will not be charged for the assessment. Once the system is operational the Operation Permit will be reinstated.
- J) When a system is assessed and found not to be operating properly the following procedure will be followed.
 - 1) The homeowner will be sent a report informing them of any deficiencies and requiring the homeowner to make the necessary repairs. The homeowner will be given 30 days to make the required corrections or begin the process for a SNARP/replacement.
 - 2) Failure to comply within the thirty (30) day time limit will result in the homeowner being issued a Notice of Violation and given an additional thirty (30) days to comply.
 - 3) Failure to comply with the orders in the Notice of Violation will result in the system being sampled and tested for *E. coli*. Two separate samples will be taken on the same day. If *E. coli* is detected in excess of 1030 colony forming units per 100 milliliters in each sample the Board of Health will declare the

system a Public Health Sewage Nuisance. The homeowner will then be given thirty (30) days to make corrections.

- a) If *E. coli* is detected in excess of 1030 colony forming units per 100 milliliters the homeowner will be required to pay for the cost of sample testing, sample delivery to the lab and any assessment or field trip fees.
 - b) If *E. coli* is found in levels less than 1030 colony forming units per 100 milliliters in both samples the homeowner will not be required to pay for any re-inspections or sampling charges.
 - c) If *E. coli* is found in levels less than 1030 colony forming units per 100 milliliters in one sample and not the other the Health District may choose to resample at the Health District's expense. The homeowner will be required to pay for the cost of sample testing for one sample, sample delivery to the lab and any assessment or field trip fees from the initial sampling inspection.
- 4) Failure to comply after being declared a Public Health Nuisance will result in the matter being turned over to the Clermont County Prosecutor's office for prosecution.

415-13 HEARING

The board of health shall grant a hearing to any person affected or aggrieved by rules 415-01 to 415-15 of the Clermont County General Health District Sewage Treatment System Rules in accordance with Clermont County General Health District Regulation 400-02. All requests for a hearing must be filed within 180 days of the initial notice from the Clermont County General Health District of the disapproval, the order to eliminate a nuisance, repair/replace a failing onsite septic system, tie into the sanitary sewer system, or other order that causes the requestor to be aggrieved.

415-14 VARIANCE

The board of health may grant a variance from the requirements of rules 415-01 to 415-15 of the Clermont County General Health District Sewage Treatment System Rules and OAC 3701-29-01 to 3701-29-23 as will not be contrary to the public interest, where a person shows that because of practical difficulties or other special conditions their strict application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of said rules, or be otherwise contrary to the public interest.

415-15 ONSITE SYSTEM MANAGEMENT DISTRICT

- A) Any entity may submit an application to the Health District to obtain approval to manage the onsite sewage treatment systems within a defined area of Clermont County. A Management District is defined as a geographical area, usually a subdivision, containing more than 10 household treatment sewage systems where homeowners have formally agreed to have a single entity manage their septic system. The application to create an Onsite System Management District must be approved by the Board of Health. The Board of

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Health may establish unique requirements for a given District to ensure adequate oversight and reporting by the established Management District.

- B) Additional homes within the defined geographical area can be added to the Management District after initial creation of the Management District by submitting an addendum to the original application identifying the address to be added and the homeowner's authorization to be included.
- C) The fee for submitting an application to the Health District to obtain approval to manage the onsite sewage treatment systems within a defined area of Clermont County is \$100 which must be paid at the time of application submission.
- D) All onsite systems in Clermont County that are part of the Operation Permit Program are issued operation permits upon satisfactory initial installation and at established intervals thereafter. Because onsite systems in an approved Onsite System Management District are part of a routine preventive maintenance program, an operation permit covering all systems contained within the district is issued to the Management District and renewed annually per the terms approved in the initial application to create the district. A total of 10% of the total number of systems in the district will be inspected each year by the Health District with no less than 2 systems per district inspected in any given year. The initial and renewed operation permits will be issued to the Management District regardless of ownership of the onsite system.
- E) The inspection fee for household sewage treatment systems under this regulation shall be calculated as follows:
 - 1) For Management Districts with greater than or equal to 20 systems the fee will be the routine charge for an operation permit inspection times 10 percent of the total number of systems in the management district.
 - 2) For Management Districts with less than 20 systems the fee will be the routine charge for an operation permit inspection times 2 (the minimum number of systems to be inspected each year).
 - 3) A Reinspection Fee will be charged for each return inspection required as a result of a malfunctioning system. The reinspection fee charged will be the same as established for all other household sewage treatment systems. The payment of the fee or reinspection fees shall be made within thirty (30) days following the date that the invoice is sent to the Management District. Unpaid fees may be collected through an action at law filed against the Management District.
- F) If a Health District inspection of a household sewage treatment system within an Onsite System Management District reveals an operational problem, an order shall be issued to the Management District to make the necessary corrections. It is the Management District's responsibility to correct the operational problem or to have the homeowner correct the problem. Any alterations or repairs required to correct a malfunctioning system within the Management District are the responsibility of the owner of the system. Any alteration or repair permits required by the Health District would be the responsibility of the system owner.

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- G) The Board of Health of the Clermont County General Health District may revoke the Onsite System Management District status of any approved Management District when systems within the Management District are not managed per the terms of the approved application or any subsequent modification thereof. When a Management District Operation Permit is revoked, all systems previously within that district are issued individual operation permits per the established renewal schedule. These operation permits will be issued directly to the owner of the onsite system and all further fees and maintenance will be the responsibility of the actual owner of the onsite system.

- H) All appeals must be in accordance with OAC 3701-29-23 and Clermont County General Health District Regulation 400-02.