

**DISTRICT BOARD OF HEALTH, MAHONING COUNTY
REGULATION OF HOUSEHOLD SEWAGE TREATMENT SYSTEMS**

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01 **Definitions**

- (A) "Aerobic type treatment system" means any system which utilizes the principle of oxidation in the decomposition of sewage by the introduction of air into the sewage or by surface absorption of air for a sufficient period of time to effect adequate treatment.
- (B) "Alter" means to change by making substantive additions, deletions or replacements in location, design or materials of existing household sewage treatment systems.
- (C) "Audible and visible warning device" means any device which warns of the discharge of sewage effluent from an aerobic type treatment system when the aeration motor is not operating.
- (D) "Basal loading rate" means the volume of effluent applied daily in gallons per day per square foot and is used to determine the required area of the distribution system.
- (E) "Bedroom" means any room within a dwelling that might reasonably be used as a sleeping room including but not limited to rooms designated as bonus room, den, office study etc.
- (F) "Board of Health" means the board of health of the Mahoning County General Health District.
- (G) "Building drain" means that part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of any building, and conveys such discharge to the building sewer three feet outside the building wall.
- (H) "Building sewer" means that part of the horizontal piping of a drainage system which receives and conveys the discharge from the building drain to the public sanitary sewer, private sanitary sewer, household sewage treatment system, or other points of disposal.
- (I) "Curtain drain" means a subsoil drain that reduces the entrance of ground water into the area of the household sewage treatment system.
- (J) "Designer" means any individual registered by the board of health who is not a registered installer who has met all applicable requirements of Section 05 of this regulation to evaluate sites and design or modify existing Household Sewage Treatment Systems (HSTS) to adequately treat home sewage effluent while following all applicable guidelines and laws.
- (K) "Dwelling" means any building or place used or intended to be used by human occupants as a single family, two family, or three family residence. Which may include, but is not limited to:
 - a. A home business having no access for the general public and does not generate additional sewage as part of its operation.
 - b. An ancillary restroom associated with a dwelling in a location such as a barn or personal garage that is not used as an additional dwelling sleeping area, or business and the users of the ancillary restroom are the same users as the dwelling. An ancillary restroom shall not be available for public use.
- (L) "Easily accessible" means of such location and design as to permit exposure with the use of only simple tools, such as screwdriver, pliers, open-end wrench, or other simple tools supplied by the manufacturer.
- (M) "Filter" means any device or material approved by the National Sanitation Foundation, the Ohio Department of Health and the board of health which separates matter in suspension from liquid.

- (N) "Hardscape" means any constructed impermeable surface area on a site such as a driveway, parking area, patio building slab, or other similar surface.
- (O) "Health Commissioner" means the health commissioner of the Mahoning County General Health District or his/her authorized representative.
- (P) "Household sewage treatment system" (HSTS) means any sewage disposal or treatment system or part thereof for a single family, two family, or three family dwelling which receives sewage.
- (Q) "Installer" means any person registered by the board of health who installs or is in the business of installing, repairing or altering a household sewage treatment system or part thereof.
- (R) "Interceptor Drain" means a drain designed to intercept the horizontal flow of subsurface water to reduce its impact on a down gradient soil absorption component.
- (S) "Leaching System" means that part of a household sewage treatment system used to dissipate the effluent from a sewage tank by means of evaporation, transpiration, soil absorption, soil percolation or any combination thereof.
- (T) "Limiting Condition" means any restrictive soil layer, bedrock, groundwater, perched seasonal water or other condition or combination of conditions that severely limit the treatment and/or the dispersal of sewage or effluent.
- (U) "Linear Loading Rate" (LLR) means the volume of effluent applied daily along the landscape contour expressed in gallons per day per linear foot. The LLR may also be referred to as the hydraulic linear loading rate. LLR is used to determine the required length of the distribution system parallel to surface contours.
- (V) "Lot" means a legally recorded parcel of land area used or intended to be used as a single family, two family, or three family dwelling site. The minimum lot size for installation of a household sewage treatment system shall be determined for each lot by an individual, site specific site review as prescribed by this rule.
- (W) "Normal ground water table" means the shallowest depth of soil which is saturated with water for an extended or permanent time period.
- (X) "Nuisance" means any condition of sewage that is potentially injurious to the health, safety, comfort, or property of a person, or pollutes waters of the state.
- (Y) "Perched seasonal water table" means the shallowest depth of soil which is saturated with water above an unsaturated zone for at least three weeks or longer periods of time.
- (Z) "Person" means the state, any political subdivision, public or private corporation, partnership, firm, association, individual, or other entity.
- (AA) "Plastic limit" means the limit of a leaching tile field soil's ability to resist smearing or compaction during leaching trench excavation. A soil exceeds its plastic limit when a soil fragment taken approximately nine (9) inches deep can easily be rolled into a wire or thread.
- (BB) "Point of discharge" means the point at which the effluent from a household sewage treatment system or curtain drain enters a public ditch, discharges to the surface of the ground or enters into a body of water.
- (CC) "Pollution" means the placing of any noxious or deleterious substance in any waters of the state or

affecting the properties of any waters of the state in a manner which renders such waters harmful or inimical to the public health, or to animal or aquatic life, or to the use of such water for domestic water supply, or industrial or agricultural purposes, or for recreation.

- (DD) "Privy" means any sanitary, waterless device for the collection and storage of human excreta but does not include chemical commodes or other portable receptacles.
- (EE) "Repair" means any work performed on a household sewage system for the purpose of repairing, replacing or upgrading non serviceable components of the household sewage system such as, but not limited to tanks, external filter devices, piping, leach lines, or dosing chambers.
- (FF) "Replacement Area" means an area of land physically preserved by permanent markers for the total duplication of the household sewage treatment system in the event of failure.
- (GG) "Sanitary sewage system" means any public or community sewage collection system conveying sewage to a central sewage treatment plant.
- (HH) "Seasonal high water table" means the shallowest depth of soil which is saturated with water during a season, a temporary period of time, or as a temporary condition.
- (II) "Secured cover" means a removable cover that prohibits unwarranted or unauthorized removal due to weight or the need of a simple tool.
- (JJ) "Servicing" means any work performed on a household sewage treatment system for the purpose of servicing or replacing serviceable components of the household sewage treatment system with like components which includes but are not limited to disinfectants, motors, pumps, filter materials, wiring, baffles, timers, audio and/or visual alarms and piping.
- (KK) "Service provider" means any person who services or engages in servicing, but does not install or alter a sewage treatment system.
- (LL) "Septic tank" means any watertight, covered receptacle approved by the National Sanitation Foundation, the Ohio Department of Health and the board of health designed and constructed to receive the discharge of sewage from a building sewer, and to discharge the effluent from settled sewage.
- (MM) "Sewage" means any liquid waste containing animal or vegetable matter in suspension or solution from water closets, urinals, lavatories, bathtubs, laundry tubs or devices, floor drains, drinking fountains, or other sanitary fixtures, and may include liquids containing chemicals in solution as from spas, hot tubs and swimming pools backwash.
- (NN) "Sewage tank" means any watertight tank designed to retain sewage and includes but is not limited to septic tanks and aerobic type treatment tanks as previously defined.
- (OO) "Sewage tank cleaner" means any person registered by the board of health who engages in the collection, transportation, and disposal of the contents of sewage tanks, or privies.
- (PP) "Soil evaluator" means any person who evaluates soil for the purpose of installing or replacing household sewage treatment systems.
- (QQ) "Subdivision" means that which is defined by section 711.001 of the Ohio Revised Code. A "Major Subdivision" means a subdivision that is comprised of 10 or more lots.
- (RR) "Suitable" means, in reference to soil/ground, that which is of appropriate topography, permeability and drainage to percolate effluent without creating a nuisance.

02 Sewage Treatment Requirements

- (A) The design, construction, installation, location, maintenance and operation of household sewage treatment systems including, but not limited to holding tanks, filters, leaching tile fields, building sewers, and privies or parts thereof shall comply with these rules and engineering practices acceptable to the Ohio Department of Health and current Ohio Environmental Protection Agency effluent standards.
- (B) Any dwelling which is not connected to a sanitary sewage system shall be provided with an approved household sewage treatment system prior to its being occupied.
- (C) Each household sewage treatment system shall serve one (1) dwelling on an individual lot and shall be properly maintained and operated by the owner. All the sewage from the dwelling shall discharge into the system.
- (D) No household sewage treatment system or part thereof shall create a nuisance.
- (E) No person shall discharge, or permit to be discharged, treated or untreated sewage, the overflow drainage or contents of a sewage tank or other putrescible, impure or offensive wastes into an abandoned water supply well, spring, or cistern or into a natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, shale, or other rock formation, or normal ground water table.
- (F) No person shall discharge, or permit or cause to be discharged, treated or untreated sewage, the drainage or contents of a sewage tank, or other putrescible or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, drainage ditch, or underground drain.
- (G) Off lot disposal of sewage effluent shall not be permitted except where the installation of an on-lot disposal system is not possible, as specified in section 09(E) of these regulations.
- (H) Lots on which household sewage treatment systems for dwellings are to be installed shall be of suitable topography, soil permeability and area to permit compliance with this regulation and rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code. Under no circumstances shall the slope of the household sewage treatment area exceed fifteen (15) percent or shall a household sewage treatment system be placed in a one hundred (100) year flood plain.
- (I) A suitable area shall be preserved to provide for the complete relocation and replacement of the household sewage treatment system
- (J) Lots on which private water supplies are to be installed shall be of sufficient area to provide isolation of the water supply system from both the original household sewage treatment system and the area intended for any relocation and replacement on this or adjacent lots.
- (K) A household sewage treatment system shall be a minimum of ten (10) feet from any lot or right-of-way line, ten (10) feet from any building foundation or footer, ten (10) feet from any water service line, five (5) feet from any driveway or hardscape, twenty five (25) feet from the defined bed or bank of any surface water such as lakes, ponds, creeks, streams etc. and fifty (50) feet from any water supply source on this or any adjacent lot.
- (L) No household sewage treatment system shall be installed, maintained, or operated on property accessible to a sanitary sewage system. Whenever a sanitary sewage system becomes accessible

to the property, a household sewage treatment system shall be abandoned and the house sewer directly connected to the sewage system within one hundred and eighty (180) days of said system becoming operational.

- (M) A property is accessible to a sanitary sewage system when so determined by the sanitary sewer authority and where the foundation of the structure from which sewage or other waste originates is less than two hundred (200) feet from the nearest boundary of the right-of-way within which the sewer is located or where the cost of connecting to the sewer is less than the cost of installing a new household sewage treatment system or of repairing an existing system.
- (N) Roof water, foundation drain, cistern overflow, surface drainage, or subsurface drainage, or backwash or regeneration water from water softeners or conditioners shall not be discharged into a household sewage treatment system.
- (O) Plastics in any form, wet strength paper towels, cloth of any kind, rubber products, throw-away baby diapers, cigarette stubs, sand, grit, coffee grounds, excess cooking oils or greases, solvents, paints, caustic or oily liquids or materials, kerosene, gasoline, motor-oil, floor waxes or any other wastes known to adversely affect the household sewage treatment system shall not be deposited or flushed in plumbing fixtures nor shall they otherwise be introduced into a building sewer or household sewage treatment system.
- (P) Final grade landscaping or addition of other site improvements such as ponds, sprinkler systems, sparse ground cover, excessive shade plants, swimming pools, decks, patios, porches, outbuildings, and driveways shall not be done in a manner as to be detrimental to the functionality of a sewage treatment system.
- (Q) For purposes of sizing a household sewage treatment system, considerations include the soils utilized, site characteristics, the home size (footprint), number of bedrooms, square footage, offices, dens, studios, and spas or hot tubs.

03 Subdivisions

- (A) Any person proposing to create a subdivision shall submit to the board of health for approval, plans clearly showing that the provisions of this regulation and rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code can be adequately met, before any of the lots in the subdivision are sold or offered for sale, whether or not such sale entails a transfer of title or deed.
- (B) No person shall install household sewage treatment systems in new subdivisions, unless it is considered to be impracticable or inadvisable by the board of health and the Ohio Environmental Protection Agency to install a central sewage system.
- (C) If household sewage treatment systems are proposed for major subdivisions, the plans shall show:
 - (1) The total land area to be used including the plat of the parcel of land containing all existing and proposed easements and any and all deed or property restrictions and zoning restrictions;
 - (2) Location and size of all lots with proposed locations of all structures, driveways, existing and proposed wells, existing and proposed household sewage treatment systems, existing and proposed easements, and the household sewage treatment system replacement area;
 - (3) The properties and characteristics of the soils in the subdivision including test hole and/or core sample data provided by a registered soil evaluator for the primary and replacement soil absorption areas on each proposed lot. Soil reports shall be submitted on a form provided by the health commissioner and shall detail soil structure, permeability, depth to

bedrock, other limiting layers, seasonal high water table, and location of borings for each lot.

- (4) Topographic or relief information at one (1) foot contours provided and verified by field survey for subdivisions of ten (10) acres or less and aerial survey for subdivisions of more than ten (10) acres. Proposed soil absorption components shall be field staked and field surveyed on contours during surveying and these areas shall be cleared to provide access for site evaluation.
 - (5) Depth to normal ground water table and rock strata;
 - (6) Location of all bodies of water, streams, ditches, sewers, drain tile, existing and proposed potable water supply sources and lines on this or adjacent lots within one hundred (100) feet of the proposed subdivision, or any other information which may affect the installation or operation of household sewage treatment systems
 - (7) Existing and finished grade of all lots.
- (D) If the proposed subdivision is to be served by either a sanitary sewage system or a water supply system or both, plans shall be submitted to the Ohio Environmental Protection Agency as required by section 6111.44 of the Ohio Revised Code.
 - (E) Discovery of erroneous, incomplete or false information after board of health approval of a subdivision will result in an immediate work stoppage on the remaining undeveloped portion of the subdivision Redesign including lot reconfiguration may be required to regain board of health approval.
 - (F) Each re-submittal of a subdivision because of phases, redesign, erroneous, or incomplete or false information will be handled as a new subdivision and must be accompanied by the appropriate fees.
 - (G) All newly subdivided lots of major subdivisions shall have recorded as part of the deed the following restriction: The health commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage treatment system or part thereof, sample the effluent, or take any other steps which he/she deems necessary to insure proper compliance with this regulation and rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code or any successor rules thereto. The health commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance. The health commissioner may collect fees for inspection, evaluation or sampling as set by the board of health.
 - (H) Developers of major subdivisions shall submit to the board of health an Affidavit, in substantially the form set out in attachment A before commencing with any construction. A restrictive covenant as detailed in attachment B shall be recorded for the subdivision and each lot proposed.
 - (I) Developers of subdivisions shall erect barriers around primary and replacement soil absorption areas on each lot to prevent access of equipment to these areas prior to or during lot preparation and dwelling construction.
 - (J) Developers of subdivisions shall provide individual lot designs from a registered designer with lot restrictions and building design criteria for each lot in addition to the comprehensive design. The lot and comprehensive designs shall be endorsed by a registered installer prior to approval by the board of health.

04 Permits

- (A) No person shall install or alter a household sewage treatment system without an installation or

alteration permit issued to him/her by the board of health. The owner or his/her designated agent shall obtain such permit from the board of health for the installation or alteration of a household sewage treatment system prior to the start of construction of a dwelling or work on a household sewage treatment system. Any person who begins installation or alteration of a household sewage treatment system without a valid permit shall be charged a penalty fee of 100% of the permit fee in addition to the actual permit fee.

- (B) A fee as set by the board of health shall be charged for a compliance review or re-inspection of the household waste water system and private water supply.
- (C) Application for a permit shall be in writing and contain pertinent information as required by the board of health.
- (D) The board of health shall issue a permit when a site review by the board of health has been completed and the pertinent information indicates that the provisions of rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code, this rule and any other applicable rules can be met. The board of health may specify terms consistent with these rules on the permit governing the installation, alteration, and operation of the household sewage treatment system.
- (E) The board of health shall deny a permit if the information on the application is incomplete, inaccurate, or indicates that the provisions of these rules and rules 3701-20-01 to 3710-29-20 of the Ohio Administrative Code cannot be met.
- (F) An installation or alteration permit shall remain in force until completion of the household sewage treatment system or for one year from the date of issuance, whichever occurs first. An installation or alteration permit may be renewed for two (2) additional one (1) year periods. Permit renewals will require a site visit by the board of health and a renewal fee paid for each 1 year period. The permit may be revoked or suspended by the board of health. An operation permit shall remain in force until it expires, is revoked, or suspended by the board of health.
- (G) The installation and operation of the household sewage treatment system or any part thereof shall conform with the requirements of rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code and the terms of the permit as required by the board of health in division (D) of this rule.

05 Registration of Household Sewage Treatment Systems Contractors

- (A) No person shall perform the services of a registered household sewage treatment system contractor without a valid registration issued by the board of health. Categories of registered household sewage treatment system contractors shall include: soil evaluator, designer, installer, service provider, sewage tank cleaner.
- (B) Application for registration shall be in writing and contain pertinent information as required by the board of health. Any fee established for a registration by law or authority of law shall accompany the application.
- (C) Each registration issued hereunder shall expire annually.
- (D) Household sewage treatment system contractors who perform the services of multiple registration categories shall register separately for each category and fulfill the requirements specific to each category.
- (E) Application for renewal of registration must be submitted with the appropriate fee by December 31 or a late fee established by the board of health shall be required. All registration applications for registration shall be accompanied by:

- (1) Proof of a surety bond in the amount of twenty-five thousand dollars (\$25,000) which provides coverage for all work performed on or for household sewage treatment systems in the Mahoning County General Health District.
 - a. The surety bond shall provide coverage for the period of registration and remain in effect for the entire period of registration.
 - b. Registrants of multiple registration categories shall be required to secure one surety bond in the amount of twenty-five thousand dollars (\$25,000) for each category of registration.
- (2) Proof of completion of two (2) clock hours of continuing education offered by the board of health during the previous twelve (12) months.
- (F) Every registrant shall maintain and submit to the board of health such data and records as may be required for determining compliance with rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code.
- (G) The owner and occupant of a dwelling that is served by a household sewage treatment system shall:
 - (1) Not be required to have registration for performing work on the household sewage treatment system for the dwelling which he occupies. The owner shall fulfill all other requirements of this regulation.
 - (2) Complete two (2) clock hours of continuing education offered or approved by the board of health during the twelve (12) months prior to requesting an STS permit, installation or servicing their household sewage treatment system.
 - (3) Conduct all activities in compliance with this regulation.
 - (4) Demonstrate competency of design, service and/or installation of a sewage treatment system to the Health Commissioner.
- (H) Whenever the health commissioner finds that a registrant is or has engaged in practices which are in violation of any provision of rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code, these rules or the terms of any permit as required by the board of health in rule 04(D) under which installation is performed, the health commissioner may suspend the registrant's registration. A suspension shall take effect immediately and remains in effect until the health commissioner or Board of Health lifts the suspension. After suspending a registration, the health commissioner shall immediately give notice in writing to the registrant describing the procedure for appealing the suspension. The registrant may appeal the suspension by giving written notice to the health commissioner and specifying in the notice whether a hearing before the board of health is requested. If an appeal is requested under this section, the board of health shall hold a hearing at which the registrant will have the opportunity to show cause why the suspension of the registrant's registration should not be continued or the registration revoked.
- (I) Soil Evaluator
 - (1) In addition to the registration requirements of section 5.0 of this regulation a Soil Evaluator shall provide proof of current ARCPACS or Ohio Association of Pedologist certification. Certification shall be maintained throughout the registration year.
 - (2) A surety bond shall not be required for registration of those soil evaluators having proof of professional liability insurance with coverage greater than twenty-five thousand dollars (\$25,000).
- (J) Installer

- (1) New and renewal registrants, may be required by the health commissioner to demonstrate competency prior to registration, this may include a written examination, field practical test, or any other means as determined by the health commissioner.

(K) Designer

- (1) New and renewal registrants may be required by the health commissioner to demonstrate competency prior to registration, this may include a written examination, field practical test, or any other means as determined by the health commissioner.
- (2) Designers shall oversee HSTS installation and give written approval to the board of health upon proper completion of each HSTS installed using their designs.
- (3) A surety bond shall not be required for registration for those designers having proof of professional liability insurance with coverage greater than twenty-five thousand dollars (\$25,000).

(L) Service Provider

- (1) In addition to the registration requirements of section 5.0 of this regulation a Service Provider shall provide proof of current authorization from the manufacturing entity of the HSTS to be serviced at the time of registration. The manufacturer authorization shall remain in effect throughout the registration year.
- (2) Each registrant and authorized manufacturer's representative shall provide the board of health a copy of the report of each inspection conducted pursuant to rules and 09(G) and 09(H) of this regulation within thirty (30) days of the inspection or service event.
- (3) Service providers shall submit to the Board of Health a copy of each maintenance service agreement within 30 days of authorization and an annual Board of Health fee for each sewage treatment system with a service agreement.

(M) Sewage tank cleaner

- (1) Each registrant shall provide the board of health a copy of the report of each pumping event involving a STS regulated by these rules within thirty (30) days of the pumping.
- (2) Sewage tank cleaners shall completely empty tanks or treatment devices when pumping or cleaning a STS.

06 Educational Program for Owners and Registered Contractors of Household Sewage Treatment Systems

- (A) The health commissioner shall establish a recall, reminder and tracking system to promote and monitor compliance with pumping and servicing recommendations for household sewage treatment systems.
- (B) The health commissioner shall offer continuing education courses for registered contractors and owners of household sewage treatment systems.

07 Septic Tanks

- (A) The minimum capacity of septic tanks shall be:

- (1) Single family dwelling -
 - (a) One (1) to four (4) bedrooms - two one thousand (1,000) gallon tanks or compartments.
 - (b) Five (5) or more bedrooms - two one thousand five hundred (1,500) gallon tanks or compartments.
- (2) Two (2) or three (3) family dwelling - the sum of the volumes for each single family residential unit within the dwelling as defined by rule 07(A).
- (B) In systems using two tanks, the septic tanks shall be connected in a series and all sewage shall initially enter the first tank.
- (C) The invert level of the inlet shall be not less than two (2) inches above the liquid level of the tank.
- (D) A vented inlet baffle shall be provided to divert the incoming sewage downward. The baffle shall penetrate at least six (6) inches below the liquid level, but the penetration shall not be greater than that allowed for the outlet device.
- (E) The outlet shall be fitted with a vented tee, vented ell, or baffle which shall extend not less than six (6) inches above and not less than eighteen (18) inches below the liquid level of the tank.
- (F) The septic tank shall have a liquid drawing depth of not less than four (4) feet.
- (G) The distance from the flow line to the cover shall be at least nine (9) inches.
- (H) Capped risers are required on all components of the sewage treatment system for inspection of inlets, outlets, motors, control units, filters and baffles and shall extend to final grade. Risers shall be fitted as to prevent surface and subsurface water infiltration.
- (I) Septic tanks, pump tanks, treatment units and control units shall be watertight and structurally sound.
- (J) All tank inlet and outlet, and control unit connections shall be watertight.

08 Dosing Tanks and Pumps

- (A) Pump tanks, treatment units and control units shall be watertight, structurally sound and have secure covers.
- (B) Dosing tanks and pumps shall be selected to accommodate the maximum drawdown and the maximum design including drainback and reserve capacities. The STS design shall provide a reserve capacity for high water alarm events that is not less than 50% of the daily design flow. If time dosed, the STS design shall include a reserve capacity of 100% of the daily design flow.
- (C) Pumps shall meet the following specifications:
 - (1) A pump shall be rated for effluent service by the manufacturer and be a UL or CSA listed product.
 - (2) The pump shall be properly sized to meet the design flow rate and total dynamic head requirements specified for the STS.
 - (3) A quick disconnect shall be accessible in the pump discharge piping, with adequate lift attachments provided for removal and replacement of the pump and water level control

assembly without having to either enter the dosing tank or pump the tank to lower the liquid level.

- (D) A dosing siphon may only be used if the STS design requirements, including the design flow rate, dose capacity, and any pressure distribution parameters, can be met and maintained.
- (E) Switches, controls, alarms, and electrical components shall be UL or CSA listed products, shall be installed in a manner easily accessible for routine monitoring and maintenance, and shall comply with the following:
 - (1) Switches and controls shall accommodate the minimum and maximum dose capacities of the specified distribution component.
 - (2) An elapsed time meter, counter, flow meter, and/or household water supply meter may be required in those STS having any dosing component.
 - (3) Controls shall have both audible and visual alarms. Alarms and controls shall be on a separate frequently used circuit from dedicated circuits for each pump or motor. The board of health may require that the alarm be located in closer proximity to the dwelling or structure when the STS location is remote.
 - (4) Control panels and alarms shall be mounted in an easily accessible exterior location, shall be field-tested to assure compliance with the STS specifications, and shall include written instructions related to standard operation and alarm events.
- (F) The designer and/or installer shall assure that all electrical wiring meets the national electric code.
- (G) STS components described in this rule shall be installed, operated and maintained as specified by the manufacturer or the approved plan.

09 Aerobic Type Treatment Systems

- (A) The board of health shall maintain a list of approved systems and ensure that all off-lot STS secure an NPDES permit from the Ohio EPA prior to issuing an installation permit.
- (B) Aerobic type treatment systems shall comply standards accepted by the Ohio Department of Health and its Technical Advisory Committee relating to materials, design, construction, performance, operation, maintenance and safety of the system and the requirements of rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code.
- (C) Aerobic type treatment systems that discharge to the surface waters of the state shall comply with the following requirements unless fitted by the manufacturer with an accessible internal sampling location:
 - (1) A sampling well shall be provided as the last component of the system prior to final discharge of the effluent. The sampling well, with a minimum inside diameter of eight (8) inches, shall be accessible from the surface of the ground, and shall be provided with a secured cover. The sampling well shall have a minimum invert of two (2) inches and be constructed to facilitate the collection of free flowing samples.
 - (2) All aerobic type treatment system outlets not discharging to a buried storm sewer line shall be equipped with a secure animal guard.
- (D) Aerobic type systems may be followed by:

- (1) A soil absorption component as listed in this regulation or approved as a special device by the Ohio Department of Health and its Technical Advisory Committee;
 - (2) Sand filter as listed in Rule (10) or (11); or
 - (3) Gravel bed as listed in Rule (12) or other NSF Standard Number Forty filtration device.
- (E) An aerobic type treatment system may be permitted under the following conditions specified in this regulation, or in conjunction with a soil absorption component, or other means approved by the Ohio Department of Health to prevent water pollution or a nuisance.
- (1) 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.
 - (2) Written permission to discharge sewage effluent from the person or persons in control of the property or properties at the point of discharge shall be required.
 - (3) Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards established by the director of the Ohio Environmental Protection Agency. In the event there are no applicable standards established by the director of the Ohio Environmental Protection Agency at the time of the issuance of the installation permit prior to January 1, 2007, the following effluent standards shall apply:
 - (a) Biochemical oxygen demand (five-day) - the arithmetic mean of two (2) or more effluent samples taken at intervals of not less than twenty-four (24) hours shall not exceed twenty (20) milligrams per liter.
 - (b) Suspended solids - The arithmetic mean of two (2) or more effluent samples taken at intervals of not less than twenty-four (24) hours shall not exceed forty (40) milligrams per liter.
 - (c) fecal coliform – The arithmetic mean of two (2) or more samples taken at intervals of not less than twenty-four (24) hours shall not exceed 2000 colonies per 100 milliliters.
 - (4) When test results indicate that the standards set forth in rule 02(G) (3) are not being met or nuisances are being created, additional treatment devices may be required by the board of health.
 - (5) All reasonable means shall be taken to minimize the amount of effluent discharged off the lot.
- (F) An audible and visible warning device of system failure shall be installed on each newly installed, altered or repaired aerobic type treatment system.
- (G) The owner of each household sewage treatment system with off lot disposal of sewage effluent installed, altered or repaired after June 8, 1997 shall:
- (1) Maintain a maintenance service agreement with an authorized manufacturer's representative who is a registered service provider.
 - (2) Sign an affidavit stating that the owner understands the terms and conditions of the installation and operation permit.

- (3) Submit annual water quality sampling results to the Board of Health, as required by the owner's NPDES permit. The water quality sampling results shall be received by the Board of Health by December 31st of each year.
- (H) The owner of each household sewage treatment system installed, altered or repaired after June 8, 1997 with on lot disposal that has aerobic pretreatment or other pretreatment special devices approved by the Director of the Ohio Department of Health that require maintenance shall:
 - (1) Maintain a maintenance service agreement with an authorized manufacturer's representative who is a registered service provider.
 - (2) Sign an affidavit stating that the owner understands the terms and conditions of the installation and operation permit.
- (I) The health commissioner may evaluate and sample (if possible) household sewage treatment systems with off lot discharge of sewage effluent installed, altered, or repaired after June 8, 1997 or any household sewage treatment system with off-lot discharge that has caused a public health nuisance regardless of the installation date of the system. The owner shall pay a fee for this evaluation and sampling as established by the board of health.
- (J) Capped risers are required on all components of the aeration system for inspection and maintenance of inlets, outlets, filters, and baffles and shall extend to final grade.
- (K) Aerobic type treatment systems are recommended to be preceded by a pretreatment tank(s) that function as trash traps and have a minimum capacity of one thousand (1000) gallons.

10 Surface Sand Filter Following an Aerobic Type Treatment System

When a surface sand filter is used as a component of an aerobic type treatment system it shall comply with the following requirements:

- (A) The surface sand filter shall have ten (10) square feet of surface area per bedroom and a minimum filter area of thirty (30) square feet.
- (B) The effective size of the filter sand shall be six-tenths (0.6) to one (1.0) millimeter with a uniformity coefficient not to exceed three (3).
- (C) The minimum depth of the filter sand shall be eighteen (18) inches that is under laid by a 3 inch layer of pea gravel which is placed over 6 inches of a clean #57 washed river stone. A four (4) inch perforated collector pipe shall be embedded in the #57 stone with holes on the bottom and watertight at the location where the collector pipe exits the bottom of the sand filter.
- (D) A minimum of twelve (12) inches of freeboard above the upper sand surface shall be provided.
- (E) The effluent shall be distributed over the entire sand filter area.
- (F) All sand filters shall be equipped with dosing pumps having a minimum capacity of three and three quarters (3.75) gallons per minute.
- (G) The sump for the dosing device shall have a minimum working volume as prescribed in section 08 of this regulation
- (H) The sand filter shall be covered with durable grating constructed of materials resistant to corrosion

and decay, or surrounded by a fence to prohibit unwarranted or unauthorized entry.

11 **Subsurface Sand Filter**

- (A) A subsurface sand filter shall be permitted only under the conditions provided in rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code and fitted with a liner or be placed at the minimum vertical separation distances as described for soil absorption units in this regulation.
- (B) A subsurface sand filter shall be dosed and the filter shall have a minimum filter area of three hundred (300) square feet or one hundred and twenty (120) square feet per bedroom, whichever is greater. The total filter area shall be divided into two (2) beds, each with a separate distribution system. Provisions shall be made for alternating from one bed to the other.
- (C) A dosing tank shall have a minimum working volume of as prescribed in section 08 of this regulation.
- (D) The distribution system shall be vented to the surface of the ground and the lower end of each bed by one or more vented caps having a minimum inside diameter of four (4) inches.
- (E) All distribution lines shall have a minimum diameter of four (4) inches and shall have a level grade.
- (F) The distribution lines shall be installed within a minimum of twelve (12) inches of clean gravel or stone three-quarters (3/4) to two and one-half (2 1/2) inches in size which covers the entire bed. The lines shall be laid on three (3) foot centers, and eighteen (18) inches from the sidewalls of the filter.
- (G) The filtering materials shall be a minimum of eighteen (18) inches in depth and the sand shall be an effective size of four-tenths (4/10) to one (1.0) millimeter with a uniformity coefficient not to exceed Three (3).
- (H) The lower or collecting line shall have a minimum diameter of four (4) inches and shall be laid the full length of the bed. The grade shall have a minimum fall of one (1) inches in fifty (50) feet.
- (I) The collecting line shall be installed within a minimum of nine (9) inches of clean gravel or stone three-quarters (3/4) to two and one-half (2 1/2) inches in size layered in the bottom 3 inches, then 3 inches of 1/2 - 3/4 gravel topped with 3 inches of 3/8 - 1/2 gravel. This gravel or stone shall underlie the entire bed.
- (J) The top of the filter shall be covered with a pervious material such as geotextile fabric or a two (2) inch layer of hay, straw, or similar material before being covered with earth.
- (K) The earth cover shall not exceed eighteen (18) inches.
- (L) A sampling well with a minimum inside diameter of eight (8) inches shall be installed on the subsurface sand filter discharge line accessible from the surface of the ground, and provided with a secured cover.

12 **Gravel Leaching Bed Following Aerobic Type System**

When a gravel leaching bed is used as a component of an aerobic type treatment system it shall comply with the following requirements:

- (A) Gravel leaching bed shall have a minimum area of two hundred (200) square feet.

- (B) Effective gravel size three-quarters (3/4) to two and one-half (2 1/2) inches river washed.
- (C) Minimum depth of bed twelve (12) inches.
- (D) Effluent shall be distributed throughout gravel bed by means of leaching tile lines or similar device approved by the Ohio Department of Health and its Technical Advisory Committee.
- (E) Leaching tile or similar device approved by the Ohio Department of Health and its Technical Advisory Committee must conform with standards set forth in Section 13.1.
- (F) Top of stone fill shall be covered with a pervious material such as geotextile fabric or two (2) inch layer of straw, hay or similar material before covering with earth.
- (G) The height of the discharge line shall not exceed the level of the outlet pipe from the filter unit.

13 **Requirements for Soil Absorption and Percolation**

This rule addresses technical standards for the siting and design of a soil absorption component. The rule assigns vertical separation distances to allow for treatment in the soil profile and provides options for sites where adequate depth of suitable soil is not available. This rule applies to all household sewage treatment system soil absorption components and includes provisions for applying soil depth credits, determining loading rates, and general design and installation requirements. This rule does not preclude the use of any soil absorption component that may be designed to comply with this rule.

- (A) Leaching systems utilizing soil absorption or percolation shall not be installed where the texture, structure, or permeability of the soil is not suitable to provide internal drainage. The health commissioner may require the owner at the owner's expense to provide a written site/soil evaluation by a registered soil evaluator before a final decision is made in issuing a permit or site approval.
- (B) Soil absorption components shall maintain a vertical separation distance of at least (8) eight inches to any limiting condition including perched seasonal water, with the exception of normal groundwater, bedrock, and/or rock and other fragments which require at least four (4) feet of vertical separation distance. The vertical separation distance is the depth from the infiltrative surface of the distribution system of the soil absorption component to a limiting condition.
- (C) A minimum vertical separation distance of (8) eight inches of in situ soil shall be maintained. A vertical separation distance established in paragraph (B) of this rule may be reduced through the use of soil depth credits as specified in paragraph (D) of this rule, provided the minimum (8) eight inch vertical separation distance is maintained within suitable in situ soil. The area of the suitable in situ soil to be used for the soil absorption component shall be free of any limiting conditions within the horizontal and vertical distances designated for treatment and dispersal.
- (D) Soil depth credits for infiltrative surface elevation and/or pretreatment pathogen reduction shall be available as approved by the Ohio Department of Health and its Technical Advisory Committee or a variance issued by the Board of Health.
 - (1) A one-to-one equivalency soil depth credit shall apply to soil absorption components that elevate the infiltrative surface of the distribution system to achieve vertical separation distance. Sand fill material in an elevated soil absorption component such as a mound system shall comply with applicable design specifications including the preparation of the sand soil interface and sand placement requirements. The loading rate for the sand fill material shall not exceed 1.0 gpd/ft². Concrete sand meeting ASTM C 33 for fine aggregate may be used provided the material meets the following specifications:
 - (a) An effective size in the range of 0.15 to 0.30 mm;

- (b) A uniformity coefficient in the range of four to six;
- (c) No more than twenty per cent by weight is gravel greater than two mm; and
- (d) No more than five per cent by weight is silt and clay less than 0.053 mm.

(2) Soil depth credits shall apply for pathogen reduction as specified for effluent meeting the fecal coliform and/or BOD and/or total suspended solids standards and pretreatment component requirements of the Ohio Department of Health and the Technical Advisory Committee.

(E) The following requirements for effluent distribution to the soil absorption component shall be met, as applicable:

(1) Gravity distribution of effluent shall be used in accordance with this chapter and any referenced design specifications in accordance with paragraph (G)(6) of this rule and in compliance with the following conditions and limitations:

(a) Septic tank effluent may be distributed by gravity to an in situ soil absorption component meeting the vertical separation distances described under paragraph (B) and (C) of this rule.

(2) Uniform distribution of effluent across the infiltrative surface of the soil absorption component shall be used in accordance with this regulation having the following conditions and limitations:

(a) When applying effluent to the sand fill infiltrative surface of an elevated soil absorption component.

(b) When using pretreatment component effluent quality meeting the BOD₅/TSS and/or pathogen reduction standards as approved by the Ohio Department of Health and its Technical Advisory Committee.

(F) The soil absorption component area shall be of adequate size and configuration to disperse the effluent and prevent surface seepage. When sizing the soil absorption area the following requirements shall be met:

(1) Soil loading rates, including basal loading rates for sand fill systems, shall be based on effluent quality and on soil structure, texture, and consistence and shall be justified through reference to soil and site evaluation information and the loading rate estimates referenced in attachment C of this regulation.

(a) The structure, texture, and consistence of the most limiting in situ soil layer within the vertical separation distance shall be used to determine a soil loading rate.

(2) Linear loading rate (LLR) estimates shall be used to determine the required length of the distribution system parallel to surface contours and shall be based on soil characteristics, land slope, and depth to limiting conditions. LLR estimates shall be justified through reference to soil and site information and the loading rate estimates referenced in attachment C of this regulation.

(G) General requirements for designing an STS soil absorption component are as follows:

(1) Effluent dispersal components shall be oriented parallel to natural surface contours and shall not be sited on slopes exceeding limitations specified in this regulation or applicable design manuals or product specification as referenced in accordance with this regulation.

- (2) Observation ports shall be provided to monitor the infiltrative surface of the soil absorption component as required in this regulation and when determined to be necessary by the board of health.
 - (3) Designs shall prevent damage to components or operational failures due to freezing temperatures.
 - (4) For short term repairs or resting of a soil absorption component, easily accessible shut-off mechanisms shall be provided to allow for segregation of flows to portions of the soil absorption component. Examples of such mechanisms include but are not limited to shut-off valves at a mound manifold split or drop box plugs for serial distribution leach lines.
 - (5) Pressure distribution networks shall have a means of measuring design pressure or operating head for both initial measurement and future monitoring of orifice clogging and other network operations and shall include a means of scouring or flushing distribution laterals.
- (H) Installation shall be conducted by a registered installer in a manner consistent with an approved plan and permit requirements to assure proper operation and future servicing or monitoring of the soil absorption component.
- (2) Soil absorption components or alternative aggregate product specified in an approved plan shall be installed in accordance with the manufacturer's installation instructions or product specifications provided these do not conflict with this regulation.
 - (3) Testing of any pressure distribution components shall be conducted prior to installation approval. Flow rate and distal pressure or operating head shall meet specifications and a baseline shall be recorded for future performance monitoring.
 - (4) 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.
- (I) STS soil absorption components shall be operated, maintained, and monitored as required by the operation permit issued by the board of health to assure compliance with the requirements of this chapter.
- (J) All pipe and fittings must conform to governing standards and marked in conformity with the governing standard.
- (K) Soil absorption area requirements for household sewage treatment systems shall be adequate to prevent water pollution or a nuisance, except those sites eliminated by rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code.
- (L) The minimum distance between any soil absorption component and any drain line located on the lot shall be eight (8) feet.
- (M) The land surface shall be graded so as to exclude surface drainage from the household sewage disposal site and prevent off-site surface water impact.
- (N) Excavation for soil absorption component installation shall NOT take place between November first and April first without prior approval from the health commissioner. Excavation for soil absorption component installation shall NOT take place during any time when the soil exceeds its plastic limit.

- (O) Barriers shall be erected around primary and replacement leaching tile fields to prevent access of equipment to these areas prior to lot preparation and dwelling construction.

13.1 Leaching Tile Field

- (A) The minimum distance center to center between any leaching lines shall be six (6) feet.
- (B) A leaching trench shall have a minimum of twelve (12) inches of clean gravel or stone fill, extending at least two (2) inches above and six (6) inches below the leaching line; such fill shall be three-quarters (3/4) to two and one-half (2 1/2) inches in size.
- (C) A leaching trench shall have a minimum width of eighteen (18) inches and a maximum width of thirty-six (36) inches. The final installation depth shall be a minimum of eighteen (18) inches but not more than thirty (30) inches.
- (D) A leaching tile line shall have a maximum length of one hundred and fifty (150) feet.
- (E) Leaching tile components shall be sized at 25% greater than that which is prescribed by soil loading rate table in the appendix of this regulation and not less than 1440 square feet in total area.
- (F) A leaching tile line shall have a minimum diameter of four (4) inches and shall have a relatively level grade not to exceed three (3) inches in 150 feet. Openings in tile shall be one-half (1/2) to three-quarters (3/4) inch in diameter.
- (G) The top of the gravel stone fill shall be covered with a pervious material such as geotextile fabric or two inch layer of straw, hay or other similar material before being covered with earth.

14 Curtain Drains and Interceptor Drains

- (A) A curtain drain or interceptor drain may be provided or required in soil subject to a seasonally high ground water table. The drain shall be installed not less than six (6) inches below the soil absorption component and shall be at least eight (8) feet from the center line of any soil absorption component. The minimum width shall be twelve (12) inches and gravelled to grade with three-quarters (3/4) to two and one-half (2 1/2) inches washed river gravel.
- (B) A curtain drain or interceptor drain shall have an inspection well accessible from the surface of the ground and shall be provided with a secured cover. The well shall have a minimum inside diameter of eight (8) inches and shall be on the discharge line adjacent to the STS. The sample well shall provide for a minimum of two inches of fall to allow for sample collection of free flowing discharge water.
- (C) When off-lot disposal of curtain drain discharge requires crossing 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.
- (D) All curtain drain and interceptor drain outlets not discharging to a buried storm sewer line shall be equipped with a secure animal guard.

15 Privy

- (A) A privy shall be provided with watertight vaults or other watertight receptacles of not less than five hundred (500) gallons capacity except as specified in division (b) of this rule and shall be minimum of fifty (50) feet from any water supply source, and twenty (20) feet from any occupied building or lot

or right-of-way line.

- (B) A vault may be constructed with an open or porous bottom if it is located not less than one hundred (100) feet from any water supply source and so located that the liquids leaching from the vault will not discharge at the ground surface, or into limestone, sandstone, shale, or other rock formation. The vault shall not be permitted where the depth to the seasonally high water is less than four (4) feet below the bottom of the proposed vault.
- (C) The construction and design of the vault and superstructure shall prevent access by insects, fowl or animals.
- (D) A privy shall be cleaned before the contents reach the top level of the vault.
- (E) A privy shall only be allowed where there is new building and sanitary sewer is under construction.

16 Building Sewer

- (A) A building sewer shall have a minimum diameter of four (4) inches.
- (B) A building sewer shall be watertight and constructed of durable material, capable of withstanding a ten (10) feet head of water test or equivalent.
- (C) Traps shall not be installed in a building sewer.
- (D) A building sewer shall be laid in good alignment at a uniform grade of 1/8 inch to 1/4 inch per foot or in accordance with engineering practices acceptable to the Ohio Department of Health.
- (E) A building sewer shall be a minimum of ten (10) feet from any household water supply source and water service line.
- (D) Building sewers shall be constructed of materials conforming to the nationally recognized standards and acceptable to the Ohio Department of Health. Pipes and fittings must be marked in conformity to the governing standards.
- (E) Building sewers shall have a cleanout every 100 feet and shall not have any horizontal turns greater than 45 degrees in any one foot of length.

17 Inspections

- (A) The health commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage treatment system or part thereof, sample the effluent, or take any other steps which he deems necessary to insure proper compliance with this regulation and rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code. The health commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance.
- (B) All repairs as defined in Rule 01(AA) of this regulation shall be reported to the health commissioner prior to completion and inspected at the discretion of the health commissioner.
- (C) No household sewage treatment system or part thereof shall be covered or put into operation until the system has been inspected and approved by the health commissioner.
- (D) Ownership of a dwelling served by a household sewage treatment system and/or a private water system shall not be transferred, pursuant to sale or completion of land installment contract, unless

the household sewage disposal treatment system and/or private water system has been inspected within the preceding twelve (12) months by the health commissioner. An inspection conducted within the preceding twelve months (12) months to fulfill the requirements of rules 02(G)(7) or 09(H) shall NOT satisfy the requirements of this regulation.

18 Abandoned Household Sewage Treatment System

An abandoned household sewage tank shall be emptied by a registered sewage tank cleaner, filled to the ground surface with suitable material and a tank abandonment report submitted to the board of health within 30 days.

19 Hearing

The board of health shall grant a hearing to any person affected or aggrieved by rules 3701-29-01 to 3710-29-20 of the Ohio Administrative Code.

20 Variance

- (A) The board of health may grant a variance from the requirements of rules 3701-29-01 to 3701-29-20 of the Ohio Administrative Code 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.
- (B) Experimental systems may be installed under the provision of 3701-29-19 (A), provided the board of health concurs in writing with the design and evaluation plan.
- (C) Household sewage treatment system components or household sewage treatment systems differing in design or principle of operation from those set forth in rules 3701-29-01 to 3701-29-21, may qualify for approval as a special device or system; provided, comprehensive tests and investigations show any such component or system produces results equivalent to those obtained by sewage treatment components or systems complying with such regulations. Such approval shall be obtained in writing from the board of health.

21 Effect of Partial Invalidity

Each rule or rules 01 to 20 of this regulation, and every part of each rule is an independent rule and a part of a rule, and the holding of any rule or part thereof to be unconstitutional, void, or not effective for any cause does not affect the validity or constitutionality of any other rule or part thereof.

22 REPEAL AND DATE OF EFFECT

- A. Sites approved prior to the effective date of this regulation that have not expired shall be issued installation permits consistent with those approvals and regulations in effect at the time of approval provided they do not conflict with the requirements of discharging STS as prescribed by this regulation and the director of the Ohio Environmental Protection Agency.
- B. Installation permits issued prior to the effective date of this regulation that have not expired shall allow for the installation of the STS consistent with the permit requirements and the regulations in effect at the time of permit issuance.
- C. All previous regulations of the board of health regulating household sewage treatment systems are hereby repealed and this regulation shall be in full force as of the effective date set forth below.

This Regulation adopted with due consideration of economic and health impact shall be effective on and after the 1st day of June, 2009.

Adopted on the 22nd day of April, 2009 by the Board of Health of the Mahoning County General Health District.

Donald Somers, President

Matthew A. Stefanak, M.P.H., Health Commissioner

I, Matthew A. Stefanak, Clerk of the Board of Health of the Mahoning County General Health District, hereby certify that the above Regulation was published in the Vindicator on May 20, 2009 and May 27, 2009.

CLERK, BOARD OF HEALTH
MAHONING COUNTY GENERAL HEALTH DISTRICT

NOTARY PUBLIC

Attachment A

STATE OF OHIO)
) SS. DEVELOPER'S AFFIDAVIT
COUNTY OF MAHONING)

Comes now the Affiant, _____, and after being duly sworn, deposes
(name of owner)

and says:

1. That I/we am/are the owner(s) of the
(description)

subdivision as set forth in Planning Commission No. _____.

2. That the
(description)

subdivision shall be constructed in accordance with the construction documents, which are on file with the office of the Mahoning County Board of Health under I.D.# _____.

3. That said construction documents shall be signed and reviewed by the Mahoning County Engineer and the owner, _____, understands and agrees that said owner has the sole responsibility of obtaining said signatures and said reviews of the Mahoning County Engineer.

4. That in the event that said subdivision is not so constructed, as set forth above, then the Affiant shall do all acts and shall be responsible for the payment of and shall spend all sums of money necessary and proper so that the said subdivision shall be constructed and approved as set forth above.

THE AFFIANT SAYETH NAUGHT

(OWNER)

SWORN to before me and SUBSCRIBED in my presence this

____ day of _____, 20__.

(NOTARY PUBLIC)