

OFFICE OF THE ADMINISTRATOR

Date: December 14, 2007

To: Registered Sewage System Installers, Registered Septage Haulers, and Service Providers

From: Al Sanders, R.S.

Subject: Public Hearing

The Ashland County Board of Health is proposing revisions to the Ashland County Household Sewage Disposal Regulations Chapter 3701-29. A draft version of the revised regulations has been developed.

Be advised that the Ashland County Board of Health will be conducting a public hearing on Tuesday January 8, 2008 at 8:30 p.m. The meeting will be held in the health department's 3rd floor conference room, 110 Cottage Street, Ashland, Ohio.

The draft version of the revised regulations is available for public review in the Environmental Health Division at the Health Department or by contacting the Health Department for a copy, requesting an electronic version by e-mail or, viewing on the website at www.ashlandhealth.com.

Should you have any comments feel free to contact Pat Donaldson, R.S. Director of Environmental Health at 419-282- 4275. Submit written comments to Pat Donaldson, R.S. Director of Environmental Health by January 8, 2008.

DRAFT
HOUSEHOLD SEWAGE
Treatment/ DISPOSAL SYSTEMS
REGULATIONS

ASHLAND COUNTY BOARD OF HEALTH

CHAPTER 3701-29

RULES 3701-01 THRU 3701-29-21

Adopted November 15, 1977
Effective January 1, 1978

AMENDED MARCH 13, 1984

AMENDED NOVEMBER 12, 1985 (EFF. MARCH 1, 1986)

AMENDED DECEMBER 10, 1985

AMENDED FEBRUARY 9, 1988 (EFF. MARCH 1, 1988)

AMENDED APRIL 10, 1990 (EFF. MAY 1, 1990)

AMENDED MARCH 14, 1995

AMENDED MAY 14, 1996 (EFF. JUNE 1, 1996)

AMENDED OCTOBER 8, 1996 (EFF. NOVEMBER 30, 1996)

AMENDED NOVEMBER 10, 1998 (EFF. DECEMBER 1, 1998; 1999)

RESCINDED DECEMBER 12, 2006 (EFF. JANUARY 1, 2007)

RE-ADOPTED JULY 10, 2007 (EFF. JULY 2, 2007)

Amended August 14, 2007 (Effective August 14, 2007)

Amended September 11, 2007 (Effective September 11, 2007)

LEGAL NOTICE

A REGULATION GOVERNING HOME SEWAGE **TREATMENT/DISPOSAL**

A resolution of the Board of Health of the Ashland County General Health District adopting regulations defining and regulating the installation and use of home sewage **treatment/disposal** systems, prescribing duties, responsibilities, and authorities of the Health Department, and providing for the enforcement of this regulation and penalties for the violation of its provisions.

SECTION 1 – HOME SEWAGE **TREATMENT/DISPOSAL** REQUIREMENTS

NOW THEREFORE BE IT RESOLVED by the Board of Health of the Ashland County General Health District that Home Sewage **Treatment/Disposal** Regulations 3701-29-01 to 3701-29-21, inclusive of the Ohio Sanitary Code, adopted January 17, 1974 and effective July 1, 1974; and amended March 17, 1977 and effective July 1, 1977 with certain attached amendments, a copy of those amendments is attached hereto and made a part thereof and incorporated by reference herein are hereby adopted and shall apply to all one, two or three family dwellings, lots used for one, two or three family dwellings, or new subdivisions using private sewage disposal systems in Ohio. The purpose of this code is to provide regulations for the design, construction, installation, location, maintenance, and operation of household sewage **treatment/disposal** systems, including but not limited to septic tanks, aeration type treatment systems, filters, leaching tile fields, **leaching pits**, building sewers, and privies, so as to provide for the health, safety, and welfare of the people of Ashland County.

TABLE OF CONTENTS		PAGE NO.
3701-29-01	Definitions	3
3701-29-02	Sewage Treatment/Disposal Requirements	6
3701-29-03	Subdivisions	8
3701-29-04	Installation Permit and Operation Permit	9
3701-29-04.1	Plat Reviews and Existing Household Sewage -Disposal System Reviews	10
3701-29-05	Registration of Installers of Sewage -Disposal Systems or Parts Thereof, Haulers, and Service Providers	11
3701-29-06	A Regulation Governing the Servicing of Septage	14
3701-29-07	Septic Tanks	16
3701-29-08	Aerobic Type Treatment Systems	17
3701-29-09	Surface Sand Filter Following an Aerobic Type Treatment System	18
3701-29-10	Installation Requirements for Soil Absorption and Percolation	19
3701-29-11	Leaching Tile Field	20
3701-29-12	Interceptor Drains Curtain Drain	24
3701-29-13	Leaching Pit	24
3701-29-14	Subsurface Sand Filter	25
3701-29-15	Privy	26
3701-29-16	Building Sewer	26
3701-29-17	Inspections	27
3701-29-18	Abandoned Household Sewage Disposal Systems	27
3701-29-19	Hearing	27
3701-29-20	Variance	27
3701-29-21	Effective of Partial Invalidity	28

3701-29-01 Definitions

(As used in rules 3701-29-01 to 3701-29-21, of the Ashland County Board of Health Household Sewage **Treatment/Disposal** Systems Regulations)

- A. “Aerobic type treatment system” means any system which utilizes the principal 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 or deletions in locations, design or materials of existing household sewage disposal systems.
- C. “Bedroom” means any room within a dwelling that might reasonably be used as a sleeping room including but not limited to rooms designated as a den, office or study.
- D. “Board of Health” means the Board of Health of the Ashland County General Health District.
- E. “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.
- F. “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 disposal system, or other points of disposal.
- G. “Curtain drain” means a subsoil drain that prevents the entrance of ground water into the area of the household sewage disposal system.
- H. “Dwelling” means any building , mobile home, or place intended to be used by human occupants as a single family, two family, or three family residence.
- I. “Easily accessible” means of such location and design as to permit exposure with the use of only simple tools, such a screwdriver, pliers, open-end wrench, or other simple tools supplied by the manufacturer.
- J. “Filter” means any device or material which separates matter in suspension from a liquid.
- K. “Health Commissioner” means the Health Commissioner of the Ashland County General Health District or his/her authorized representative.
- L. “Household sewage **treatment/disposal** system” means any sewage disposal or treatment system or part thereof for a single family, two family, or three family dwelling which receives sewage.
- M. “Installer” ~~means any person who installs or is in the business of installing a household sewage disposal system or part thereof.~~ **Any person who engages in the business of installing or altering sewage systems or parts thereof.**
- N. “**Interceptor Drain**” **A subsurface drain intended to prevent the horizontal flow of subsurface water into the area of the household sewage treatment/disposal system.**

- O. “Leaching system” means that part of a household sewage disposal system used to dissipate the effluent from a sewage tank by means of evaporation, transpiration, soil absorption, soil percolation of any combination thereof.
- P. “Leaching pit” means any covered pit with lining designed to permit effluent from a sewage tank to seep into the surrounding soil.
- Q. **“Limiting Condition” A restrictive soil layer, bedrock, groundwater, perched seasonal high water table, or other condition or combination of conditions that severely limit the treatment and/or dispersal of sewage effluent.**
- R. “Lot” means the land area used or intended to be used as a single family, two family, or three family dwelling site.
- S. “Normal ground water table” means the shallowest depth of soil which is saturated with water for an extended or permanent time period.
- T. “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.
- U. “Person” means the state, any political subdivision, public or private corporation, partnership, firm, association, individual, or other entity.
- V. “Point of discharge” means the point of which the effluent from a household sewage disposal system or curtain drain enters a public ditch or discharges to the surface of the ground or to a body of water.
- W. “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 waters for domestic water supply, or industrial or agricultural purposes, or for recreation.
- X. “Privy” means any sanitary, waterless device for the collection and storage of human excreta but does not include chemical commodes or other portable receptacles.
- Y. “Sanitary sewage system” means any public or community sewerage collection system conveying sewage to a central sewage treatment plant.
- Z. “Seasonally 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.
- AA. “Secured cover” means a removable cover or manhole that prohibits unwarranted or unauthorized removal.
- BB. “Septic tank” means any watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building sewer, and to discharge the effluent from settled sewage.

- CC. "Septage" The liquid or solid material removed from a one, two, and or three family dwelling household sewage treatment/ disposal system, portable toilet, and or Type III marine sanitation device.**
- DD. "Septage Hauler" means any person who engages in the collection, transportation and disposal of the contents of sewage tanks, or privies.**
- EE. "Service Provider" Any person who services, but does not install or alter, a sewage treatment/ disposal system.**
- FF. "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 fountain, or other sanitary fixtures, and may include liquids containing chemicals in solution.**
- GG. "Sewage tank" means any watertight tank designed to retain sewage and includes, but is not limited to, septic tanks and aerobic type treatment tanks.**
- CC. "Sewage tank cleaner"**
- HH. "Subdivision" means that which is defined by section 711.001 of the Ohio Revised Code.**
- II. "Vertical Separation Distance" The depth from the infiltrative surface of the distribution system of the soil absorption component to a limiting condition.**

3701-29-02 Sewage **Treatment/Disposal** Requirements

- A. The design, construction, installation, location, maintenance and operation of household sewage **treatment/disposal** systems including, but not limited to, septic tanks, aerobic type treatment systems, filters, leaching tile fields, leaching wells, 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 sewerage system shall be provided with an approved household sewage **treatment/disposal** system prior to its being occupied.
- C. Each household sewage **treatment/disposal** system shall service one 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/disposal** 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, or underground drain.
- G. Offlot disposal of sewage effluent shall not be permitted except where the installation of an onlot disposal system is not possible, as specified in rules 3701-29-10(A), 3701-29-10(B), and 3701-29-11(B), **And an NPDES Permit is issued by the Ohio E.P.A. for such discharge. If a discharge permit is issued the following conditions must be met:**
 - 1. When offlot 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, the following effluent standards shall apply:
 - a. Biochemical oxygen demand (B.O.D. five-day) – The arithmetic mean of two or more effluent samples taken at intervals of not less than twenty-four hours shall not exceed twenty milligrams per liter.
 - b. Total Suspended solids(TSS) – The arithmetic mean of two or more effluent samples taken at intervals of not less than twenty-four hours shall not exceed forty milligrams per liter.

4. When test results indicate that the standards set forth in rule 3701-29-02(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.
- H. Lots on which household sewage **treatment**/disposal systems for dwellings are to be installed shall be of suitable topography and area to permit compliance with rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal Systems Regulations
 - I. A suitable area shall be available to provide for the complete relocation and replacement of the household sewage disposal system as required by rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal Systems Regulations.
 - J. Lots of 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 disposal system and the area intended for any relocation and replacement on this or adjacent lots are required by rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal Systems Regulations.
 - K. ~~A household sewage disposal system shall be a minimum of ten (10) feet from any lot or right of way line, ten (10) feet from any occupied building, ten (10) feet away from any water service line, and fifty (50) feet from any water supply source on this or any adjacent lot.~~
A household sewage treatment/disposal system shall be isolated a minimum of ten (10) feet from any lot right of way line, ten (10) feet from any structure or building, ten (10) feet from any utility service line, driveway, or other hardscape, fifty (50) feet from any water supply source on this lot or any adjacent lot, and twenty-five (25) feet from any lake, river, perennial stream, or pond.
 - L. No household **treatment**/sewage disposal system shall be installed, maintained, or operated on property accessible to a sanitary sewerage system.
 - M. Whenever a sanitary sewerage system becomes accessible to the property, a household sewage **treatment**/disposal system shall be abandoned and the house sewer directly connected to the sewerage system.
 - N. Roof water, foundation drain, cistern overflow, surface drainage, and subsurface drainage shall not be discharged into a household sewage **treatment**/disposal 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**/disposal system shall not be deposited or flushed in plumbing fixtures nor shall they otherwise be introduced into a building sewer or household sewage **treatment**/disposal system.

3701-29-03 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 rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage Treatment/Disposal Systems Regulations 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/disposal 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/disposal systems are proposed, the plans shall show:**
 - 1. The total land area to be used;**
 - 2. Location and size of all lots;**
 - 3. The properties and characteristics of the soils in the subdivision;**
 - 4. Depth to normal ground water table and rock strata:**
 - 5. 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 feet of the proposed subdivision, or any other information which may affect the installation or operation of household sewage disposal systems or the enforcement of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage Disposal Systems Regulations.**
 - 6. Existing and finished grade of all lots.**
 - 7. Compliance with the Ashland County Subdivision Regulations.**
- D. If the proposed subdivision is to be served by either a sanitary sewerage 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 Revised Code.**

3701-29-04 Installation Permit and Operation Permit

- A. No person shall install or alter a household sewage **treatment/disposal** system without an installation permit issued to him by the Board of Health. ~~The owner or his designated agent shall obtain such installation permit from the Board of Health for the installation of a household disposal system prior to the start of construction of a dwelling.~~
The owner or his legally designated agent shall obtain such installation permit from the Board of Health prior to the beginning of the installation of any part/component of the sewage treatment/ disposal system.
- B. (1) No person shall maintain or operate a household sewage **treatment/disposal** system installed after the effective date of rule without an operation permit obtained from the Board of Health.
- B (2) An operation/ maintenance permit shall be obtained for any sewage treatment/disposal system installation under the following conditions:**
- a. **system installation under NPDES permit**
 - b. **system installation utilizing any pretreatment component or components permitted for BOD5/TSS sizing reduction and/or pathogen reduction soil depth credits.**
- C. (1) (a) Application for permit for a single family dwelling shall be in writing and contain pertinent information as required by the Board of Health. ~~The fee for said application shall be seventy-five (\$75.00) dollars,~~ **An application fee shall be submitted with the application** except no fee shall be charged for an application for an alteration to an existing single family dwelling. The application for a permit shall remain in force for one year from the date of issuance.
- (b) ~~If said application is approved, a fee of one hundred seventy-five (175.00) dollars shall be charged for an installation operational permit for a new installation and one hundred fifty (150.00) dollars for an alteration for a single family dwelling.~~
a permit fee shall be charged for an installation/operation permit for a single family dwelling.
- (2) (a) Application for a permit for a two or three family dwelling shall be in writing and contain pertinent information as required by the Board of Health. ~~The fee for said application shall be seventy-five (75.00) dollar,~~ **An application fee shall be submitted with the application,** except no fee shall be charged for an application for an alteration to an existing two or three family dwelling. The application for a permit shall remain in force for one year from the date of issuance.
- (b) ~~If said application is approved, a fee of one hundred seventy-five (175.00) dollars shall be charged for an installation operational permit for a new installation and one hundred fifty (150.00) dollars for an alteration for a two or three family dwelling.~~
a permit fee shall be charged for an installation/operation permit for a new or altered two or three family dwelling.
- D. The Board of Health shall issue a permit when the pertinent information indicates that the provisions of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage **Treatment/Disposal** Systems Regulations can be met. The Board of Health may specify terms consistent with rules 3701-29-01 to 3701-29-21 on the permit governing the installation alteration, and operation of the household sewage disposal 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 rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage **Treatment/Disposal** Systems Regulations cannot be met.
- F. An installation permit shall remain in force until completion of the household sewage **treatment/disposal** system or for one year from the date of issuance, which ever occurs first. The permit may be revoked or suspended by the Board of Health. **Operation and maintenance** permits shall remain in force until it **expiration, revocation, suspension** by the Board of Health.
- G. The installation, **operation**, and maintenance of the household sewage **treatment/disposal** system or any part thereof shall conform with the requirements of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment/Disposal** System Regulations and the terms of the permit as required by the Board of Health in division (D) of this rule.

3701-29-04.1 Plat Reviews and Existing Household Sewage Disposal System Reviews

- A. A plat review as required by the Ashland County Regional Planning Commissioner Subdivision Regulations shall be accompanied by a ~~fee of thirty (30) dollars.~~ **plat review fee.**
- B. A request for a review of an existing household sewage **treatment/disposal** system that may require a record review, onsite inspection and/or written certification of findings to the person requesting said inspection, shall also be accompanied by a ~~fee of sixty (\$60.00) dollars.~~ **a review fee.**

3701-29-05.1 Registration of Installers of Household Sewage Treatment/Disposal Systems or Parts Thereof

- A. No person shall perform the services of an installer unless he holds a valid registration issued to him by the Board of Health.
- B.(1) On or before the first day of ~~March~~ **January** and each year hereafter, every installer of Sewage **treatment**/disposal systems or parts thereof, within the jurisdiction of the Board of Health shall procure an installer's registration certificate. Said registration certificate shall not be transferable. An annual fee of ~~one hundred (100.00) dollars~~ shall be levied for each installer's registration certificate. Application for said certificate shall be made on a form prescribed and furnished by the Board of Health. ~~The Board of Health can require any registrant to show proof that he is knowledgeable in the workmanship required to perform the services of an installer.~~
- (2) The Board of Health shall require any registrant to provide proof of competency through the following means:**
- a. successful completion of the Ashland County Sewage Regulations test (or equivalent as determined by Board of Health)**
 - * b. achieve completion of at least six (6) continuing education hours per calendar year through educational programs provided by or approved by the Board of Health.**
 - *This condition of installer registration shall be effective January 1, 2009.**
- (3)The holder of an installer's registration certificate shall be responsible for the proper installation of each sewage system or part thereof installed by authority of this registration
- C. Each registration issued hereunder shall expire annually.
- D. A renewal application for registration shall be submitted to the Board of Health at least thirty days prior to the expiration date.
- E. 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 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal Systems Regulations.
- ~~F. The owner shall not be required to have a registration for performing work on the household sewage disposal system for the dwelling which he occupies.~~
- G. Whenever the Health Commissioner finds that an installer is or has engaged in practices which are in violation of any provisions of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal Systems Regulations or the terms of any permit as required by the Board of Health in rule 3701-29-04(D) under which installation is performed, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his registration should not be suspended or revoked.

3701-29-05.2 Registration of Septage Haulers

- A. No person shall perform the services of a septage hauler unless he holds a valid registration issued to him by the Board of Health.**
- B.(1) On or before the first day of January and each year hereafter, every septage hauler within the jurisdiction of the Board of Health shall procure a septage hauler registration certificate. Said registration certificate shall not be transferable. An annual fee shall be levied for each septage hauler registration certificate. Application for said certificate shall be made on a form prescribed and furnished by the Board of Health.**
- (2) The Board of Health shall require any registrant to provide proof of competency through the following means:**
- a. successful completion of the Ashland County Sewage Regulations test (or equivalent as determined by the Board of Health).**
 - *b. achieve completion of at least six (6) continuing education hours per calendar year through education programs provided by or approved by the Board of Health.**
***This condition of septage hauler registration shall be effective January 1, 2009.**
- (3) The holder of a septage hauler registration certificate shall be responsible for the proper servicing of septage by authority of this registration**
- C. Each registration issued hereunder shall expire annually.**
- D. A renewal application for registration shall be submitted to the Board of Health at least thirty (30) days prior to the expiration date.**
- E. 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 3701-29-21 of the Ashland County Board of Health Household Sewage Treatment/Disposal Systems Regulations.**
- F. Whenever the Health Commissioner finds that a septage hauler is or has engaged in practices which are in violation of any provisions of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage Treatment/Disposal Systems Regulations, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his registration should not be suspended or revoked.**

3701-29-05.3 Registration of service providers

- A. No person shall perform the services of a service provider unless he holds a valid registration issued to him by the Board of Health.**

- B.(1) On or before the first day of January and each year hereafter, every service provider within the jurisdiction of the Board of Health shall procure a service provider registration certificate. Said registration certificate shall not be transferable. An annual fee shall be levied for each service providers registration certificate. Application for said certificate shall be made on a form prescribed and furnished by the Board of Health.**

- (2) The Board of Health shall require any registrant to provide proof of competency through the following means:**
 - a. successful completion of the Ashland County Sewage Regulations test (or equivalent as determined by Board of Health)**
 - *b. achieve completion of at least six (6) continuing education hours per calendar year through educational programs provided by or approved by the Board of Health.**
 - *This condition of service provider registration shall be effective January 1, 2009.**

- (3)The holder of a service provider registration certificate shall be responsible for training and compliance with certification conditions as required by the manufacturer or distributor of system components and shall comply with O&M requirements in accordance with any permit conditions issued by the Board of Health.**

- C. Each registration issued hereunder shall expire annually.**

- D. A renewal application for registration shall be submitted to the Board of Health at least thirty (30) days prior to the expiration date.**

- E. 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 3701-29-21 of the Ashland County Board of Health Household Sewage Disposal Systems Regulations.**

- F. Whenever the Health Commissioner finds that a service provider is or has engaged in practices which are in violation of any provisions of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage Disposal Systems Regulations or the terms of any permit as required by the Board of Health in rule 3701-29-04(D) under which service is performed, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his registration should not be suspended or revoked.**

3701-29-06 Servicing of Septage

This rule includes requirements for the management and collection, transportation, disposal, and land application of domestic septage. The land application requirements in this rule are in addition to those in 40 C.F.R. 503 (as published in the July 1, 2005 Code of Federal Regulations).

- A. The Board of Health shall assess the management of septage generated within its jurisdiction, including adequate capacity for the disposal and land application of septage within the area of its jurisdiction. Septage management by the Board of Health shall include but is not limited to the following:**
- (1) Notification to septage haulers registered by the Board of Health of available receiving locations of septage and any prohibitions on the land application of septage. Compliance with paragraph (B) of this rule is required when land application is permitted by the Board of Health.**
 - (2) Provision of information to household sewage system owners on recommended time lines for septage removal from sewage system components including more frequent removal when a garbage disposal is in use.**
 - (3) Requirements for reporting of septage removal or tank pumping as applicable when required as a condition of an operation permit or as otherwise required.**
- B. Land application of septage shall not create a public health nuisance and shall be performed for agronomic benefit in compliance with this paragraph and C.F.R. 503 (as published in the July 1, 2005 Code of Federal Regulations) on sites approved by the Board of Health.**
- (1) The Board of Health shall require an application for site approval which shall be submitted on a form prescribed and furnished by the Board of Health. An application fee shall be submitted with the application.**
 - (2) A land application site may be considered for approval by the Board of Health if the following is provided by the registered septage hauler:**
 - (a) Written permission from the property owner to land apply septage and information on the presence of any field tile within the proposed land application site.**
 - (b) Information from the NRCS Soil Survey for Ashland County indicating the site has no greater than eight (8%) percent slope, has at least three (3) feet of soil above normal ground water, bedrock, rock and other fragments, and is free of conditions that could allow land application of septage to cause contamination of ground water or run off to surface waters.**
 - (c) Additional information required by the Board of Health concerning the site, the surrounding area, or other land application methods used by the registered septage hauler.**
 - (3) The Board of Health shall conduct a site inspection prior to granting approval for land application of septage. Approval of the site expires one (1) year from the date of site approval.**
 - (4) The Board of Health shall enforce the prohibitions in this paragraph. Land application of septage is prohibited within the sanitary isolation radius of a public water system well as determined in accordance with rule 3745-09-04 of the Ohio Administrative Code.**

Land application of septage is prohibited within an inner management zone of drinking water source protection area determined to be highly susceptible to contamination by the Ohio E.P.A. source water protection and assessment program for a community or non-Transient non-community public water system as defined in rule 3745-81-01 of the Ohio Administrative Code.

The area to be used for land application shall meet the following minimum horizontal isolation distances:

- (a) Two hundred (200) feet from any dwelling, business, or location used for community gatherings or recreational purposes.**
 - (b) Fifty (50) feet from any property line.**
 - (c) One hundred (100) feet from any private water system, non-potable water well or water supply well used by a transient, non-community public water system as defined in rule 3745-81-01 of the Ohio Administrative Code.**
 - (d) Fifty (50) feet from any waters of the state excluding ground water but including grass waterways.**
 - (e) Three (300) hundred feet from a sink hole or drainage well, or one (100) hundred feet if a permanent vegetative buffer is maintained around the sink hole or drainage well.**
 - (f) Fifteen (1500) hundred feet from a public drinking water surface water intake.**
- (5) The amount of septage applied to the site shall not exceed the annual nitrogen application rate required for the type of vegetation on the site. The accumulation of phosphorous shall not exceed the recommended levels for agronomic loading rates. Soil tests shall be submitted to the Board of Health with the site application for the purpose of monitoring these accumulations. Any vegetation or crop grown on the site where septage is applied shall be harvested, grazed, or otherwise removed in accordance with 40 C.F.R. 503 (as published in the July 1, 2005 Code of Federal Regulations).**
- (6) Trash shall be screened and removed from the septage prior to land application and shall be dewatered prior to disposal as solid waste.**
- (7) Septage shall be land applied in accordance with the following:**
- (a) Septage shall not be permitted to pool or flow on the surface of the ground.**
 - (b) Septage shall be applied in accordance with the vector attraction reduction requirements and the pathogen reduction requirements of 40 C.F.R. 503 (as published in the July 1, 2005 Code of Federal Regulations).**
- (8) Hauler records, on forms prescribed and furnished by the Board of Health, shall be submitted to the Board of Health monthly. Septage haulers shall maintain records for at least five (5) years to demonstrate compliance with 40 C.F.R. 503 (as published in the July 1, 2005 Code of Federal Regulations).**

3701-29-07 Septic Tanks

- A. Septic tanks shall be approved by O.D.H. and the minimum capacity of septic tanks shall be:**
- 1. Single family dwelling:**
 - a. One to two bedroom - 1000 gallons,**
 - b. Three bedroom – 1500 gallons in one or two tanks or compartments,**
 - c. Four or five bedroom – 2000 gallons in two tanks or compartments,**
 - d. Six or more bedroom - 2500 gallons in two tanks or compartments.**
 - 2. Two or three family dwelling – sum of the volumes for each single family residential unit within the dwelling as defined by rule 3701-29-07 (A) (1).**
- B. In systems using two tanks, the septic tanks shall be connected in series and all sewage shall initially enter the first tank.**
- C. The invert level of the inlet shall be not less than two 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 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 inches above and not less than eighteen inches below the liquid level of the tank.**
- F. The septic tank shall have a liquid drawing depth of not less than four feet.**
- G. The distance from the flow line to the cover shall be at least twelve inches.**
- H. The septic tank shall be installed with a minimum of one secured cover extended to grade to provide access to each compartment of the tank for inspection and cleaning. The cover shall have a minimum inside diameter of ten inches.**

3701-29-07.1 Effluent Filters

- A. An effluent filter that retains solids greater than one/sixteenth of an inch shall be installed in the outlet end of the septic tank or on the line external to the tank prior to the distribution device. The device shall be accessible for cleaning and inspection.**

3701-29-08 Aerobic Type Treatment Systems

- A. Aerobic type treatment systems shall comply with standard number forty as adopted by the National Sanitation Foundation Board of Trustees or standards accepted as equivalent by the Ohio Department of Health relating to materials design, construction, performance, operation, maintenance and safety of the system in effect at the time of acceptance of a system by the Ohio Department of Health, and the requirements of rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment/**Disposal Systems Regulations.**

- B. In addition to division (A) of this rule, aerobic type treatment systems shall comply with the following requirements:**

 - 1. Where a final effluent sample cannot easily be obtained from within the system, a sampling well immediately following the system shall be provided. The sampling well, with a minimum inside diameter of eight inches, shall be accessible from the surface of the ground, and shall be provided with a secured cover.**

 - 2. The system shall be sized on the basis of one hundred-twenty gallons per day per bedroom.**

 - 3. The system shall not be installed where the estimated daily flow exceeds the rated capacity at which the system was tested and approved.**

- C. An aerobic type treatment system may be permitted under the conditions provided in rule 3701-29-02(G) for offlot discharge, or in conjunction with a leaching tile field, or other means approved by the Ohio Department of Health to prevent water pollution or a nuisance.**

- D. Prior to offlot discharge the effluent from an aerobic type treatment system shall discharge through a filter conforming to the requirements of rules 3701-29-10 or 3701-29-14 of the Ashland County Board of Health Household Sewage **Treatment/** Disposal Systems Regulations or other device approved by the Ohio Department of Health to provide additional treatment so that the requirements of rule 3701-29-02 (G) (3) will not be exceeded.**

3701-29-09 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 a minimum filter area of one hundred (100) square feet.**
- B. The effective size of the filter sand shall be six-tenths to one millimeter with a uniformity coefficient not to exceed three.**
- C. The minimum depth of the filter sand shall be eighteen inches.**
- D. A minimum of twelve (12) inches of freeboard above the upper sand surface shall be provided. Eight (8) inches of freeboard must extend above grade.**
- E. The effluent shall be distributed over the entire sand filter area.**
- F. Dosing devices, if required, shall be provided with a pump having a minimum of 3.75 gallons per minute.**
- G. The sump for the dosing device shall have a minimum working volume of seventy-five gallons.**
- 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.**
- I. A sampling well with a minimum inside diameter of eight inches shall be installed on the surface sand filter discharge line within six feet of the filter bed, accessible from the surface of the ground, and provided with a secured cover.**

3701-29-10 Installation Requirements for Soil Absorption and Percolation

- A.(1) Leaching systems utilizing soil absorption or percolation shall not be permitted where the depth to a seasonal perched water table or normal ground water table is less than eighteen (18) inches or the depth to rock strata is less than four feet below the bottom of the proposed system.**
- (2) The minimum vertical separation distance may be reduced through the use of soil depth credits as per the Ohio Department of Health Soil Depth Credit Chart. (attached)**
- B. 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 evaluation by a qualified person before a final decision is made in issuing a permit. The criteria of the national cooperative soil survey shall be used as a guideline by the Health Commissioner to determine the suitability of the soils in lieu of a more detailed guideline relating to code requirements and soil characteristics.**
- C. Alternative system design utilizing generally accepted engineering/ design practices may be considered.**

3701-29-11 Leaching Tile Field

A. Total field requirements shall be divided into two equal sections and provided with a diversion device equipped to provide alternate flow to each section of the field. The diversion device and inspection ports shall be brought to grade and shall be provided with secured covers.

B. Shall include:

TABLE I
LEACHING FIELD ABSORPTION AREA REQUIREMENTS
PRECEDED BY SEPTIC TANKS

Size of Dwelling

1 or 2 BEDROOMS - 1000 Gallon Septic Tanks

Soil Permeability	Total Lineal Feet Of Leaching Field Required <i>*(or the equivalent)</i>	Number of Trenches (Min. 12" Width) (Max. 150' Length)	Estimated Area Needed For the Sewage System (Leaching Field and its Replacement, if necessary)	
			<u>Square Feet</u>	<u>Acres</u>
SLIGHT	300	2	2,400	.06
MODERATE	400	2.7	4,500	.11
SEVERE				
1.0" Per Hour	500	3.3	6,600	.17
0.9" Per Hour	600	4	6,600	.17
0.8" Per Hour	700	4.7	8,700	.22
0.7" Per Hour	800	4.3	10,800	.27
0.6" Per Hour	900	6	10,800	.27
0.5" Per Hour	1,000	6.7	12,900	.32
* 0.4" Per Hour				
* 0.3" Per Hour	1,150	7.7	15,000	.38
* 0.2" Per Hour				

*DENOTES *UNFAVORABLE SOIL* FOR SEWAGE DISPOSAL SYSTEMS
(Permit May Be Granted)

**** Square foot measurements may be utilized to calculate absorption area**

SIZE OF DWELLING

3 Bedroom - 1,500 Gallon Septic Tank

SLIGHT	450	3	4,500	.11
MODERATE	600	4	6,600	.17
SEVERE				
1.0" Per Hour	800	5.3	10,800	.27
0.9" Per Hour	900	6	10,800	.27
0.8" Per Hour	1000	6.7	12,900	.32
0.7" Per Hour	1100	7.3	15,000	.38
0.6" Per Hour	1200	8	15,000	.38
0.5" Per Hour	1300	8.7	17,000	.43
*0.4" Per Hour				
*0.3" Per Hour	1450	9.7	19,200	.48
*0.2" Per Hour				

***DENOTES UNFAVORABLE SOIL FOR SEWAGE DISPOSAL SYSTEM
(Permit May Be Granted)**

SIZE OF DWELLING

4 OR 5 Bedrooms - 2,000 Gallon Septic Tank (Two 1,000 gallon tanks connected in series)

SLIGHT	600	4	6,600	.17
MODERATE	800	5.3	10,800	.27
SEVERE				
1.0" Per Hour ...	1100	7.3	15,000	.38
0.9" Per Hour ...	1200	8	15,000	.38
0.8" Per Hour ...	1300	8.7	17,100	.43
0.7" Per Hour ...	1400	9.3	19,200	.48
0.6" Per Hour ...	1500	10	19,200	.48
0.5" Per Hour ...	1600	10.7	21,300	.53
*0.4" Per Hour ...				
*0.3" Per Hour ...	1750	11.7	23,400	.59
*0.2" Per Hour ...				

***DENOTES UNFAVORABLE SOIL FOR SEWAGE DISPOSAL SYSTEMS
(Permit May Be Granted)**

****Square foot measurement may be utilized to calculate absorption area**

**TABLE II
LEACHING FIELD ABSORPTION AREA REQUIREMENTS
PRECEDED BY AERATION TANKS**

SIZE OF DWELLING

1 OR 2 Bedrooms - Approved Aeration Tanks (NSF Standard 40 and/or ODH Standards in 3701-29-08 Ashland County Board of Health Household Sewage Disposal Systems Regulations)

Soil Permeability	Total Lineal Feet Of Leaching Field Required ** (or the equivalent)	Number Of Trenches (Min. 12" Width) (Max. 150' Length)	Estimated Area Needed for the Sewage System (Leaching Field and its Replacement), If necessary.	Square Feet	Acre
SLIGHT	200	1.3		2,400	.06
MODEATE	300	2		2,400	.06
SEVERE					
1.0" Per Hour	400	2.7		4,500	.11
0.9" Per Hour	500	3.3		6,600	.17
0.8" Per Hour	550	3.7		6,600	.17
0.7" Per Hour	600	4		6,600	.17
0.6" Per Hour	650	4.3		8,700	.22
0.5" Per Hour	700	4.7		8,700	.22
*0.4" Per Hour					
*0.3" Per Hour	850	5.7		10,800	.27
*0.2" Per Hour					

* DENOTES *UNFAVORABLE SOIL* FOR SEWAGE DISPSAL SYSTEM
(Permit May Be Granted)

SIZE OF DWELLING

3 Bedrooms - Approved Aeration Tank (NSF Standard 40 and/or ODH Standards in 3701-29-08 Ashland County Board of Health Household Sewage Disposal Systems Regulations)

SLIGHT	300	2		2,400	.06
MODERATE	450	3		4,500	.11
SEVERE					
1.0" Per Hour	600	4		6,600	.17
0.9" Per Hour	700	4.7		8,700	.22
0.8" Per Hour	750	5		8,700	.22
0.7" Per Hour	800	5.3		10,800	.27
0.6" Per Hour	850	5.7		10,800	.27
0.5" Per Hour	900	6		10,800	.27
*0.4" Per Hour					
*0.3" Per Hour	1,050	7		12,900	.32
*0.2" Per Hour					

*DENOTES *UNFAVORABLE SOIL* FOR SEWAGE DISPOSAL SYSTEM
(Permit May Be Granted)

SIZE OF DWELLING

4 OR 5 Bedrooms - Approved Aeration Tank (NSF Standard 40 and/or ODH Standards in 3701-29-08 Ashland County Board of Health Sewage Disposal Systems Regulations)

SLIGHT	400	2.7	4,500	.11
MODERATE	600	4	6,600	.17
SEVERE				
1.0" Per Hour ...	800	5.3	10,800	.27
0.9" Per Hour ...	900	6	10,800	.27
0.8" Per Hour ...	950	6.3	12,900	.32
0.7" Per Hour ...	1,000	6.7	12,900	.32
0.6" Per Hour ...	1,050	7	12,900	.32
0.5" Per Hour ...	1,100	7.3	15,000	.38
*0.4" Per Hour ...				
*0.3" Per Hour ...	1,250	8.3	17,100	.43
*0.2" Per Hour ...				

***DENOTES UNFAVORABLE SOIL FOR SEWAGE DISPOSAL SYSTEM
(Permit May Be Granted)**

**** Square foot measurement may be utilized to calculate absorption area**

- C. The minimum distance between any leaching lines shall be six (6) feet.
- D. The minimum distance between any leaching line and any drain line located on the lot shall be eight (8) feet.
- E. A leaching trench shall have a minimum of twelve inches of clean gravel or stone fill, extending at least two inches above and six inches below the leaching line; such fill shall be three-fourths to one and one-half inches in size.
- F. A leaching trench shall have a minimum width of twelve (12) inches **and a maximum width of twenty- four (24) inches. The maximum depth shall not exceed thirty (30) inches.**
- G. A leaching line shall have a maximum length of one hundred-fifty feet.
- H. A leaching line shall have a minimum diameter of four (4) inches and shall have a relatively level grade. The grade shall not exceed a fall of three (3) inches in fifty feet.
- I. The top of the gravel stone fill shall be covered with a pervious material such as untreated paper or a two inch layer of hay, straw, or similar material before being covered with earth.
- J. The land surface shall be graded so as to exclude surface drainage from the household sewage disposal site.

3701-29-12 ~~CURTAIN DRAIN~~ **INTERCEPTOR DRAIN**

- A. A ~~curtain~~ **interceptor** drain shall be provided in soil subject to a seasonally high ground water table. The ~~curtain~~ **interceptor** drain shall be installed not less than six (6) inches below the leaching trench bottom and shall be at least eight (8) feet from the center line of any leaching trench

- B. A ~~curtain~~ **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 leaching system unless an open out-fall is present on the property.

- C. When offlot disposal of ~~curtain~~ **interceptor** 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 will be required.

3701-29-13 ~~LEACHING PIT~~

- ~~A. A leaching pit shall be installed only in areas where gravel deposits underlie the ground surface and the seasonally high water table is not less than ten (10) feet below the bottom of the leaching pit. Test borings to determine the suitability of the soil shall be constructed to a depth of at least ten (10) feet below the bottom of a proposed leaching pit prior to issuance of an installation permit.~~

- ~~B. A leaching pit shall be a minimum of one hundred feet from any water supply source, ten (10) feet from any lot or right-of-way line, and twenty (20) feet from any occupied building.~~

- ~~C. A leaching pit shall be provided with a secured cover extended to ground level.~~

- ~~D. A leaching pit capacity shall be equal to the septic tank capacity.~~

3701-29-14 SUBSURFACE SAND FILTER

- A. A subsurface sand filter shall be permitted only under the condition provided in Rules 3701-29-02 (G) of the Ashland County Board of Health Sewage Disposal System Regulations.**
- B. A subsurface sand filter shall have a minimum filter area of two hundred-forty square feet per bedroom unless the filter is dosed. When dosed the filter shall have a minimum filter area of three hundred square feet or one hundred-twenty square feet per bedroom whichever is greater. The total filter area shall be divided into two beds, each with a separate distribution system. Provisions shall be made for alternating from one bed to the other gravity or pumping.**
- C. A dosing tank shall have a minimum working volume of seventy-five gallons, shall extend to grade, and shall be provided with secured covers.**
- D. When a subsurface sand filter is dosed, the distribution system shall be vented to the surface of the ground at the lower end of each bed by one or more vented caps have 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 relatively level grade. The grade shall not exceed a fall of three inches in fifty feet.**
- F. The distribution lines shall be installed within a minimum of twelve (12) inches of clean gravel or stone three-fourths inch to one and one-half inches in size which covers the entire bed. The lines shall be laid on three foot centers, and eighteen (18) inches from the sidewalls of the filter.**
- G. The filtering material shall be a minimum of eighteen inches in depth and the sand shall be an effective size of four-tenths to one millimeter with a uniformity coefficient not to exceed three.**
- H. The lower or collecting line shall have a minimum diameter of four inches and shall be laid the full length of the bed. The grade shall have a minimum fall of six (6) inches in fifty feet.**
- I. The collecting line shall be installed within a minimum of twelve (12) inches of clean gravel or stone three-fourths to one and one-half inches in size which underlies the entire bed.**
- J. The top of the filter shall be covered with a pervious material such as untreated paper or a two (2) inch layer of hay, straw, or similar material before 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 surface sand filter discharge line within six (6) feet of the filter bed, accessible from the surface of the ground, and provided with a secured cover.**

3701-29-15 PRIVY

- A. A privy shall be provided with watertight vaults or other watertight receptacles of not less than five hundred gallons capacity except as specified in division (B) of this rule and shall be a minimum of fifty (50) feet from any water supply source, and twenty-feet (20) away from any occupied building or lot of 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 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 information. The vault shall not be permitted where the depth to the seasonally high water table 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.**

3701-29-16 BUILDING SEWER

- A. A building sewer shall have a minimum diameter of four inches.**
- B. A building sewer shall be watertight and constructed of durable material, capable of withstanding a ten foot 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 and embedment at a uniform grade 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.**

3701-29-17 INSPECTIONS

- A. The Health Commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage **treatment**/disposal system or part thereof, sample the effluent, or take any other steps which he/she deems necessary to insure proper compliance with Rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Household Sewage **Treatment**/Disposal System Regulations. The Health Commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance.**

- B. No household sewage **treatment**/disposal system or part thereof shall be covered or put into operation until the system has been inspected and approved by the Health Commissioner.**

- C. All sewage treatment/disposal systems approved by the Board of Health shall be inspected not later than one (1) year after installation to insure that it is not creating a public health nuisance.**

3701-29-18 ABANDONED HOUSEHOLD SEWAGE DISPOSAL SYSTEM

An abandoned household sewage tank shall be emptied and filled to the ground with suitable material.

3701-29-19 HEARING

The Board of Health shall grant a hearing to any person affected or aggrieved by Rule 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage **Treatment/Disposal Systems Regulations.**

3701-29-20 VARIANCE

- A. The Board of Health may grant a variance from the requirements of Rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage **Treatment**/Disposal Systems Regulations 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 3701-29-20 (A) provided the Director of Health concurs in writing with the design and evaluation plan.**

- C. Household sewage **treatment/disposal** system components or household sewage **treatment/disposal** system 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/disposal** components or systems complying with such regulations. Such approval shall be obtained in writing from the Director of Health.

- D. Rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage Disposal Systems Regulations are minimum standards. A board of health may adopt more stringent standards when local conditions indicate such standards are necessary.

3701-29-21 EFFECT OF PARTIAL INVALIDITY

Each rule of Rules 3701-29-01 to 3701-29-21 of the Ashland County Board of Health Sewage Disposal Systems Regulations, 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.

PENALTY

Any person who violates any provisions of this regulations shall, upon conviction, be subject to the penalties provided in Section 3709-99 of the Ohio Revised Code.

SECTION 2

A complete copy of this code is on file with the Secretary of the Board of Health of the Ashland County General Health District for inspection by the public and also is on file in the law library of the county which is located in the Ashland County Courthouse. The Secretary of the Board of Health of the Ashland County General Health District has copies available for distribution to the public and such cost will not exceed the cost of printing of such copies. Amendments to this code are incorporated into the above code.

SECTION 3 - PENALTIES

Any person who violates any provision of this regulation shall be in violation of and subject to the penalties provided by Section 3709-99 of the Ohio Revised Code. Each and every violation shall constitute a separate offence.

SECTION 4 - REPEAL

Existing sanitary regulations and sections or paragraphs of regulations of the Board of Health of the Ashland County General Health District duly enacted and in force as of January 1, 1975 are hereby repealed.

SECTION 5 - EFFECTIVE DATE

This regulation shall be in effect on or after the 1st day of January 1978. Adopted by the Board of Health of the Ashland County General Health District this 15th day of November 1977.

AMENDED BY EMERGENCY LEGISLATION ON MARCH 13, 1984 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT.

AMENDED BY EMERGENCY LEGISLATION ON DECEMBER 10, 1985 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT.

AMENDED BY EMERGENCY LEGISLATION ON MARCH 14, 1995 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT.

AMENDED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 8th DAY OF OCTOBER, 1996. EFFECTIVE NOVEMBER 30, 1996.

AMENDED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 10th DAY OF NOVEMBER, 1998 AND DECEMBER 1, 1999.

The Resolution of the Ashland County Board of Health adopting regulations defining servicing of septage; prescribing duties, responsibilities and authorities of the Health Department and providing for the enforcement of this Regulation and penalties for the violation of its provisions was adopted on November 12, 1985 and became effective on March 1, 1986. The Regulations supersede Chapter 3701-29, Chapter 3701-29-06 of the Ashland County Board of Health Household Sewage Disposal Systems Regulations.

AMENDED BY EMERGENCY LEGISLATION ON FEBRUARY 9, 1988 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT EFFECTIVE MARCH 1, 1998.

AMENDED BY EMERGENCY LEGISLATION ON APRIL 10, 1990 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT EFFECTIVE MAY 1, 1990

AMENDED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 14th DAY OF MAY 1996. EFFECTIVE JUNE 1, 1996.

AMENDED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 10th DAY OF NOVEMBER, 1998. EFFECTIVE 1, 1998.

RESCINDED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 12TH DAY OF DECEMBER, 2006 EFFECTIVE JANUARY 1, 2007

READOPTED BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT THIS 10TH DAY OF JULY, 2007 EFFECTIVE JULY 2, 2007.

AMENDED BY EMERGENCY LEGISLATION ON AUGUST 14TH, 2007 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT EFFECTIVE AUGUST 14, 2007.

AMENDED BY EMERGENCY LEGISLATION ON September 11, 2007 BY THE BOARD OF HEALTH OF THE ASHLAND COUNTY GENERAL HEALTH DISTRICT EFFECTIVE SEPTEMBER 11, 2007