

**3701-29-19 STS operation and maintenance management, and system owner education.**

- (A) The board of health shall develop a program for the administration of O&M management for STS and GWRS and system owner education in compliance with division (A)(7) of section 3718.02 of the Revised Code and this chapter.
  - (1) O&M management and system owner education is required for all systems installed or altered after the effective date of this chapter.
  - (2) Boards of health shall work with interested stakeholders to develop a timeline and process for phasing in O&M management for prior installed systems and should consider risk factors such as system age, complexity and risks to public health when establishing the criteria and process for phasing in prior installed systems, except as provided in paragraph (B) of this rule.
  - (3) All STS that have been issued coverage under the general household NPDES permit after January 1, 2007 shall be included in the O&M management program.
- (B) Boards of health that have established a program prior to the effective date of this chapter for the monitoring or assessment of systems, are authorized to continue their program provided that the program allows a person to demonstrate the required maintenance of a system in lieu of a board of health inspection. Monitoring and assessment of STS may also be performed upon request for real estate inspections or as part of locally established real estate transfer programs.
- (C) An O&M management program shall include but is not limited to the provisions of this rule and any additional provisions of an O&M management program established by the board of health shall not be considered as more stringent standards subject to division (B) of section 3718.02 of the Revised Code. O&M management programs shall include the following minimum components:
  - (1) Permit records organized by location providing a history of siting, design, installation, alteration, operation, monitoring, maintenance, and abandonment activities. The results of any O&M monitoring, service contracts, sampling, inspections or reporting required by this chapter shall be maintained in the permit record. All records and information regarding a system's operation and maintenance shall be provided to the board of health within sixty days of any operation and maintenance inspection.
  - (2) Demonstration of board of health and STS or GWRS owner compliance with operation permit requirements for system types as required in this chapter.
  - (3) Tracking of activities and requirements associated with the conditions of an operation permit or this chapter, including but not limited to:
    - (a) Dates and results of any inspections or maintenance service including the inspection required in paragraph (H) of rule 3701-29-09 of the Administrative Code.
    - (b) Time lines for the expiration and renewal of an operation permit as applicable.

- (c) Record of owner compliance with the service contract or other maintenance requirements in accordance with this chapter and the operation permit conditions established in paragraph (I) of rule 3701-29-09 of the Administrative Code;
  - (d) Record of any related enforcement activities;
  - (e) Record of any water quality or other samples collected from the system; and
  - (f) A service provider or board of health may use electronic monitoring and tracking of system operation and maintenance.
- (D) O&M in accordance with manufacturer's instructions shall be met when required as a condition of an operation permit, as part of a STS or GWRS product approval, or as otherwise required in this chapter. A person may demonstrate the required O&M of their system in lieu of having a board of health inspection conducted when an inspection is otherwise required. This may include a person securing a service contract or being certified for O&M service by a manufacturer. The board of health shall advise the owner of the ability to demonstrate required O&M through the use of a service contract or owner certification. The owner shall provide proof of servicing and maintenance appropriate to the STS or GWRS to the board of health that includes, but is not limited to:
- (1) A copy of the system service report that is signed and dated by a registered service provider or owner who is certified by the manufacturer to service the installed STS or GWRS. Service providers shall notify the board of health when service contracts are not renewed;
  - (2) Service reports must include minimum information as required by the department for a specific technology or product, the board of health, and the manufacturer as applicable for every component of the system. Service checklists that provide a comprehensive listing of the minimum service requirements shall be used when applicable or available for a product or system type;
  - (3) Provide a copy of septic tank pumping receipts, tank and distribution box inspections, and cleaning of effluent filters as applicable; and
  - (4) Any other information that demonstrates maintenance of the system as required by the operation permit.

This shall not preclude the board of health from conducting compliance inspections for the purpose of oversight of installers, service providers or septage haulers nor from requiring payment of an operation permit fee for O&M management.

- (E) Owners of HSTS that have obtained coverage under the household general NPDES permit shall comply with the following O&M requirements:
- (1) Obtain effluent samples for monitoring as required by the household general NPDES Permit. Effluent samples shall either be collected by the board of health, or if allowed by the board of health, a registered service provider in accordance with protocols established by the department or Ohio EPA. Effluent samples shall be collected in accordance with rule 3701-29-13 of the Administrative Code or as approved by the director from either the installed sampling port or the point of discharge for the STS installation;

- (2) Maintenance, repair, servicing or alteration of the system as required to meet the action limits established by Ohio EPA when system effluent quality exceeds the limits established in the household general NPDES permit or more often as necessary to meet the action limits; and
  - (3) Owners of HSTS that have obtained coverage under the household general NPDES permit, and are not consistently able to meet the effluent quality standards, shall work with the system manufacturer and the board of health to take steps necessary to bring the system into compliance with the established limits, and may include, but is not limited to, the installation of an approved tertiary component or additional approved treatment devices as approved by the department of health, or alteration or limitations on the quantity or quality of sewage discharged into the system.
- (F) A board of health may establish a household sewage treatment district in accordance with division (A)(14) of section 3718.02 of the Revised Code and the following minimum criteria and procedures:
- (1) A household sewage treatment district established by a board of health shall provide a responsive approach to prevent or resolve sewage treatment problems from HSTS within an established district;
  - (2) When establishing a household sewage treatment district the board of health shall by formal resolution provide in writing the authority, purpose, scope, and details of the district management program including any fees;
  - (3) In advance of the adoption of a resolution establishing a household sewage treatment district, the board of health shall provide public notice in a newspaper of general circulation and shall inform all affected homeowners by mail at least ninety days in advance of the adoption of the resolution; and
  - (4) The board of health may enter into a contract with any entity to administer a household sewage treatment district management program.
- (G) The board of health shall promote compliance with this chapter through educational outreach including but not limited to the following:
- (1) Providing information to STS owners on the type of STS they own and how it functions, and how to manage, maintain and care for their STS to ensure proper system performance and sustainability.
  - (2) Help ensure that the STS owner is provided with O&M instructions and service reporting requirements.
  - (3) Provide information to system owners on how to access the department of health and manufacturer internet sites for O&M instructions as required by division (F) of section 3718.05 of the Revised Code, or upon written request, directly provide a copy of these O&M instructions.
- (H) The board of health may provide owners with information on financial assistance resources, and may promote or participate in local and state financial assistance programs to support STS repair and replacement or connection to sanitary sewers and STS abandonment including, but not limited to, the following:
- (1) Complete a HSTS management plan to access state revolving loan funds.

- (2) Establish a local revolving or low interest loan program.
- (3) Encourage targeted community development funding.

Effective: 01/01/2015

Five Year Review (FYR Dates): 01/01/2020

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Certification

09/29/2014

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