



RESOLUTION 22-012

**A RESOLUTION TO ESTABLISH THE FOLLOWING REGULATIONS:
SEPTAGE LAND APPLICATION, PERMITTING AND REGISTRATION, AND THE
FOLLOWING FEES RELATING TO THESE REGULATIONS AND SEWAGE
TREATMENT SYSTEMS FOR THE ADMINISTRATION AND ENFORCEMENT OF
CHAPTER 3701-29 OF THE OHIO ADMINISTRATIVE CODE.**

WHEREAS, Ohio Administrative Code Section (OAC) 3701-29 and Ohio Revised Code (ORC) 3709.09, allow for the establishment of fees and regulations for the purpose of administering and enforcing the requirements of OAC Chapter 3701-29 and the Septage Land Application and Permitting and Registration regulations adopted by the Board of Health;

WHEREAS, OAC Section 3701-29-05 sets forth the types of services and functions for which a fee may be charged and prescribes the use of the cost methodology procedure outlined in OAC Section 3701-36-14;

WHEREAS, this authorization allows the Health Commissioner to revise, or adopt the procedures for implementing the regulations;

Septage Land Application Regulations

It has been brought to the Carroll County General Health District's (CCGHD) attention that there is a need for septage disposal options, for the operation and maintenance of sewage treatment systems (STS). Per Ohio Administrative Code (OAC) 3701-29-20 (A) *the Board of Health shall assess the management of STS and sewage generated within its jurisdiction, including adequate capacity for the disposal of STS septage and sewage and/or land application of domestic septage within the area of its jurisdiction. The board of health may adopt rules prohibiting, restricting, or limiting the land application of septage within its jurisdiction.*

The sewer municipalities in Carroll County are limited on the gallonage of septage that can be accepted from household sewage treatment systems. Many septage haulers are forced to haul septage from STSs in Carroll County to treatment facilities outside of the county, increasing the cost of their septage hauling services. Therefore, a septage land application program is needed to service the residents of Carroll County, to provide for feasible options for operating and maintaining their STS. This program is designed to help educate homeowners on operation and maintenance of their system and the importance of pumping their septic tanks to lengthen the life of their STS.

- A. Land application of domestic septage shall not create a public health nuisance and shall be performed for agronomic benefit in compliance with OAC 3701-29 and 40 C.F.R. 503 on sites permitted and approved by the board of health.
- B. Only Septage Haulers registered with the CCGHD may land apply domestic septage, as defined in 40 C.F.R 503.9 within Carroll County with a valid septage land application site permit issued by the board of health.
- C. Septage land application shall be done in accordance with OAC 3701-29-20 (E-F) and 40 C.F.R 503.
- D. A septage land site review application shall be submitted to the CCGHD complete with all pertinent information as required by the Board of Health. Any fee established for the site review by law or by the Board of Health under authority of law shall accompany the application.
- E. The CCGHD shall deny an evaluation if the information on the application is incomplete, inaccurate, and payment has not been received, or the site is not appropriate for safe land application.
- F. Septage land application permit fees, renewal fees, and inspection fees are set by the Board of Health.
- G. Septage land applications sites shall meet the isolation distances in accordance with OAC 3701-29-20: Septage and Sewage Management, and any additional isolation distances per the Board of Health.
- H. The inspection of the septage land application site will be conducted to assure compliance with the OAC 3701-29-20.
- I. An approved septage land application site permit issued to septage haulers, by the Board of Health shall be valid for one year from the date of issuance.
- J. An approved septage land application site permit may be revoked by the board of health prior to its expiration if there is a change in site conditions, or there is evidence of noncompliance with Chapter 3718. of the Revised Code, this chapter, or 40 C.F.R. 503.

BE IT THEREFORE RESOLVED, by the Board of Health, of the Carroll County General Health District, that the fee for each listed service or function shall be:

SEPTAGE MANAGEMENT FEES	LOCAL FEE	STATE FEE	TOTAL FEE
Land Application Site Review Application	\$150.00		\$150.00
Land Application Site Permit	\$150.00		\$150.00

Permitting and Registration Regulations

To provide clarity and efficiency the Carroll County General Health District (CCGHD) has implemented a permit process and registration regulations regarding the installation and alteration of sewage treatment systems (STS) in Carroll County for household sewage treatment systems (HSTS), gray water recycling systems (GWRS), and small flow on-site sewage treatment systems (SFOSTS).

This policy will also be used to establish a vertical separation distance to the seasonal water table per Ohio Administrative Code 3701-29-15 (H). Vertical separation distance" or "VSD" means the distance from the level of the infiltrative surface of the distribution system of a soil absorption system, or component thereof, to the level of a limiting condition in the soil.

- A. Permit fees for site reviews, installation, replacement, and alterations of a HSTS, GWRS, or SFOSTS shall be set by the Board of Health.
- B. The turnaround time for services to be completed by an EHS shall be set by CCGHD. The amount of time for installers to notify CCGHD for installation of a STS shall be set by CCGHD.
- C. A soil scientist meeting the criteria established under the Ohio Administrative Code 3701-29-07 to perform soil work in Ohio, shall complete the soil report for the proposed HSTS, GWRS, or SFOSTS and an area must be tested for a future reserve area for an initial system.
 - a. The CCGHD will only accept excavation pits for site reviews. Hand augers will not be accepted, except to verify excavated pits or to delineate soil boundaries.
- D. For a replacement STS, an environmental health specialist (EHS) must conduct a site visit to determine what options are available for a replacement HSTS. The EHS will review the lot and determine if soil testing will need to be done. The site review fee will be determined based on the replacement system.
- E. A complete site review application shall be submitted with all pertinent information and the established fee established for the site review by the Board of Health.
 - a. This site review will be valid for five (5) years per the OAC 3701-29, provided there are no changes to the site conditions or the STS design, including the sewage source.

- F. The CCGHD is establishing a vertical separation distance to a seasonal water table.
- a. Except for fractured or karst bedrock, groundwater or an aquifer, limiting conditions of high risk, seasonal water table when highly weathered soils with weak structure or low to very low permeability developed on the low lime till plains are present, of OAC 3701-29-15, the vertical separation distance to a seasonal water table shall be twelve (12) inches, with a minimum thickness of in situ soil within the infiltrative distance of twelve (12) inches when septic tank effluent is discharged to the soil absorption component.
 - b. A minimum vertical separation distance of six (6) inches and a minimum in situ soil thickness within the vertical separation distance of six (6) inches may be used where the seasonal water table is present, and the sewage effluent is pretreated to less than one thousand fecal coliform colony forming units (CFU) per one hundred milliliters.
- G. Once approved, the site review report will be given to the property owner.
- a. Designs are required for alteration, replacement, and new installation permits.
 - b. National Pollutant Discharge Elimination System (NPDES) permits will require a permit through the Ohio Environmental Protection Agency (Ohio EPA).
- H. Once a design for an STS is received by CCGHD an EHS will complete the design review.
- a. Special Device Approvals are not permitted to be used as the reserve area system for new construction.
- I. Once the design is approved by CCGHD the installer must provide notice to CCGHD prior to starting installation of an STS to allow for all required inspections to be completed.
- J. Violations of OAC 3701-29 found during installation must be corrected and then re-inspected by an EHS.
- a. An as-built must be submitted by the installer per OAC 3701-29.
 - b. Abandonment and pumping reports shall be submitted if applicable.
 - c. The EHS will review the submitted documentation, if no revisions are needed the STS will be approved.

d. If revisions are needed, the EHS will communicate this to the installer.

L. Twelve months from the date of the approval of any permit, the CCGHD is required to do a compliance inspection. The homeowner will be contacted prior to the inspection.

M. Installers shall submit all as-builts for the year to be eligible to re-register with CCGHD for the new registration year.

N. Registered installers, septage haulers, and service providers, must also provide proof of completion of required continuing education (CE) hours per OAC 3701-29-03 hours during the previous calendar year through educational programs approved by the department of health or demonstration of competency per OAC 3701-29.

- a. If these are not completed during the previous calendar year a variance must be applied for and a variance fee must be paid that is established by the Board of Health.
- b. A variance issued by the Board of Health will only be issued once for section a.) above. If CEs are not provided the installer, septage hauler, or service provider will not be permitted to register in Carroll County for that registration year.

BE IT THEREFORE RESOLVED, by the Board of Health, of the Carroll County General Health District, that the fee for each listed service or function shall be:

SEWAGE PERMIT CATEGORY	LOCAL FEE	STATE FEE	TOTAL FEE
Application for Site Review HSTS/GWRS	\$325.00		\$325.00
Application for Site Review SFOSTS	\$425.00		\$425.00
Permit for Installation of New/Replacement HSTS	\$521.00	\$74.00	\$595.00
Permit for Installation of New/Replacement SFOSTS	\$521.00	\$74.00	\$595.00
Permit for the Installation of a New/Replacement GWRS	\$521.00	\$74.00	\$595.00
Permit for Alteration of an Existing HSTS/GWRS	\$400.00	\$35.00	\$435.00
Permit for Alteration of an Existing SFOSTS	\$400.00	\$35.00	\$435.00
Permit for the Operation of an HSTS/GWRS	\$50.00		\$50.00
Permit for the Operation of a SFOSTS	\$50.00		\$50.00
Abandonments of STS/GWRS	\$100.00		\$100.00

Inspection of an Existing HSTS/GWRS/SFOSTS (3718.02) Re-Inspection to Ensure Compliance with this Chapter as allowed in 3701-29-09 of the OAC	\$60.00		\$60.00
Collection of Effluent Samples for Compliance	\$60.00 +lab costs		\$60.00 +lab costs
Vehicle Permits for Septage Haulers (per truck)	\$50.00		\$50.00
Registration Septage Haulers	\$180.00 (+\$50.00 per truck)		\$180.00 (+\$50.00 per truck)
Registration Installers	\$276.00		\$276.00
Registration Service Providers	\$100.00		\$100.00
Subdivision Review (per lot)	\$50.00		\$50.00
Application for Variance	\$100.00		\$100.00
Late Fee (Permit or Registration)	25% Local		25% Local

BE IT FURTHER RESOLVED, by the Board of Health of the Carroll County General Health District adopts these regulations to be effective after the completion of the third and final reading on and after April 20, 2022.

1st Reading: 2-16-22

2nd Reading: 3-15-2022

3rd Reading: 4-20-2022

Kelly A. Engelhart
Kelly Engelhart MPH, BSN, RN, Health Commissioner

4-20-2022
Date

W.S. Stine MD
Dr. W.S. Stine, Board President

4/20/2022
Date