

## CHAPTER 816

### Sewage Treatment Requirements

- 816.01 Responsibility of Health Commissioner.
- 816.02 Prohibited discharges.
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#### CROSS REFERENCES

- Abatement and removal of nuisances by Board of Health - see ORC 3707.01
- Putting contents of privy vaults upon land or in water - see ORC 3767.16 & 3767.22
- Acts of pollution prohibited - see ORC 6111.04
- Private sewer systems - see ORC 6112
- Required sewer connections where available and accessible - see ORC 6117.51
- Private sewers - see OAC 4101:2-51-411
- Installation of systems prohibited in multiple home site allotments - see EHC 872.01
- Liquid waste disposal in motels - see EHC 1620.07(i)

**EHC** Environmental Health Code      **ORC** Ohio Revised Code      **OAC** Ohio Administrative Code

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#### **816.01 RESPONSIBILITY OF HEALTH COMMISSIONER.**

The Health Commissioner shall approve the design and location and shall inspect and approve construction and installation and enforce regulations regarding maintenance and operation of all household sewage treatment systems (HSTS) constructed, altered, repaired or abandoned within the Health District. The design and location of each HSTS shall comply with standards established by the Board of Health and contained in this Part Eight -- Household Sewage Treatment Code.

#### **816.02 PROHIBITED DISCHARGES.**

- (a) No person shall discharge or permit or cause to be discharged treated or untreated sewage, the overflow drainage or contents of a sewage system, oil, grease or other putrescible, impure or offensive waste onto the surface of the ground or into any street, road, alley, open excavation, storm water sewer, land drain ditch, roadside ditch, adjoining property, watercourse or body of water, except under such circumstances as prescribed by and with the written approval of the Health Commissioner.
  - (1) Off-lot discharge of sewage effluent shall not be permitted for new dwelling construction.
  - (2) Off-lot discharge of sewage effluent for replacement HSTSs shall not be permitted except where the installation of a non-discharging HSTS is not reasonably possible. The following conditions must be met for off-lot discharge:

- (i) When discharging to an open road ditch located within the road right-of-way or drainage right-of-way, the discharge may be required to flow the maximum length of the applicants property prior to leaving the property. The property owner must make application to the public entity maintaining the right-of-way, where such application is required in order to discharge into an open or closed roadside ditch.
  - (ii) When the existing point of discharge is located on the applicant's land from where it will reasonably be expected to flow onto another's property without first entering a public drainage way or year-round flowing creek or stream, and where no other reasonable option is available to prevent discharge or to discharge to a better location, an approval by the Health District of the installation design and construction does not grant approval to cross the property of another or force an easement upon adjoining property owners.
  - (iii) There will be no new discharge to a tiled drainage way which crosses another person's property unless the above two conditions are met and a public agency or other legally constituted agency is charged with and has responsibility to serve and maintain the drainage tile.
  - (iv) When off-lot discharge 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.
- (3) Where the discharge of sewage is permitted by the Health Commissioner, the quality of the effluent 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, or by parameters set forth by the Health Commissioner, based on the expected efficiency for the type of system installed. In the event there are no applicable standards established by the Director of the Ohio Environmental Protection Agency or the Health Commissioner, the following effluent standards shall apply for individual HSTS discharges:
- (i) Biochemical Oxygen Demand (five-day) -- The arithmetic mean of two or more samples taken at intervals of not less than twenty-four hours shall not exceed twenty milligrams per liter.
  - (ii) Suspended Solids -- 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.
  - Bacteria -- The geometric mean of two or more effluent samples taken at intervals of not less than twenty-four hours shall not exceed a density of five-thousand fecal coliform or five-hundred and seventy-six E. coli colonies per one-hundred milliliter sample.
- (4) When test results indicate that the standards set forth are not being met or nuisances are being created, additional treatment devices or water saving devices may be required by the Health Commissioner.
- (5) All reasonable means shall be taken to minimize the amount of effluent discharged off the lot.
- (6) The use of a chlorine contact chamber or other disinfection device may be required on a discharging system depending on the sensitivity of the discharge point.
- (b) No person shall discharge or permit or cause to be discharged, treated or untreated sewage, the overflow drainage or contents of a sewage tank, oil, grease or other putrescible, impure or offensive wastes into an abandoned water supply well, spring or cistern or into any natural or artificial well, sink hole, crevice or other opening into the earth except those approved by the Health Commissioner and designed for sewage absorption.
- (c) No person shall discharge or permit or cause to be discharged deleterious material, roof water, foundation drain, cistern overflow, surface drainage or subsurface drainage into a building sewer or into a HSTS.

**816.03 SEPARATE SYSTEM REQUIRED WHERE PUBLIC SYSTEM UNAVAILABLE.**

Each dwelling provided with plumbing fixtures or provided with a receptacle to create a sanitary flow, where no approved public sanitary sewerage system is available, shall be provided with a separate HSTS of an approved type and design acceptable to the Health Commissioner prior to being occupied. Each HSTS shall serve one dwelling on an individual lot. All the sewage from the dwelling shall discharge in to the HSTS.

**816.035 BUILDING CONSTRUCTION, REMODELING, RECONSTRUCTION, ADDITIONS TO STRUCTURES ON PARCELS SERVED BY HSTS AND PRESERVATION OF THE HSTS AREA.**

If public sewers are not available to an existing one, two or three family dwelling unit; no further lot split or lot re-configuration, no new construction, addition, alteration or reconstruction to any building or structure or land excavation shall be permitted unless the Health Commissioner has determined that:

- (a) The lot split, building project, or land excavation will not damage or threaten the existing HSTS.
- (b) The lot split, building project, or land excavation will not decrease the potential of replacing the HSTS in the future when the HSTS fails.
- (c) The lot split, building project, or land excavation will not leave the HSTS or replacement area for the existing dwelling with insufficient isolation of HSTS components as specified in EHC 840.04. The use of easements for isolation distance requirements is not acceptable.

Application for this review will be made on a form provided by the Health Commissioner. The property owner or the owner's authorized agent shall submit design plans or a scale drawing to explain the project and to demonstrate that the property contains adequate replacement area that can accommodate a HSTS. A review fee is to accompany the application as set forth in EHC Chapter 220. The existing HSTS must be functioning to the satisfaction of the Health Commissioner or the owner must obtain a permit to repair or replace the system prior to approval to build or split. Once the HSTS area and a HSTS replacement area are identified, portions of the property outside this designated area may be considered for further development of the property. If the project increases potential occupancy the dwelling, the Health Commissioner may require expansion of the HSTS or installation of a new HSTS to accommodate the potential increase in wastewater flow. Once the Health Commissioner has determined that the project is in compliance with this rule, a zoning and/or building permit release approval will be issued. The review is necessary to prevent damage to the HSTS or future replacement area. Replacement areas are not to be cut, filled or compacted.

**816.04 PRIVATE SYSTEMS PROHIBITED WHERE PUBLIC SYSTEM AVAILABLE.**

- (a) No HSTS shall be installed, maintained or operated on property accessible to a sanitary sewerage system.
- (b) Whenever an approved sanitary sewer system becomes accessible to the property or it has come to the attention of the SCHD that sewer has been available for some time the HSTS shall be abandoned according to 816.045 of this rule and the building sewer of the dwelling unit directly connected to the sanitary sewer.

**816.045 ABANDONMENT OF A HSTS.**

When a dwelling which utilizes a HSTS is razed or is connected to sanitary sewer, the owner shall obtain a HSTS abandonment permit and abandon the HSTS by:

- (a) Contracting a registered liquid waste hauler to completely pump the septic tanks, leach pits, lift stations, and distribution boxes.
- (b) Spreading the contents of one 50 pound bag of agricultural lime on the bottom of the tanks and leaching pits.
- (c) Breaking and collapsing the lid and at least one side of tanks and leaching pits.
- (d) Filling the septic tanks with either native soil or granular material to the surface of the ground.
- (e) Distribution boxes shall have their lids removed and be filled with native soils or granular material.
- (f) Electrical wiring shall be disconnected according to all applicable codes.

**816.05 NUISANCES PROHIBITED.**

No household sewage system or part thereof shall create a nuisance.

**816.05 SMALL FLOW ON-SITE SEWAGE TREATMENT SYSTEMS.**

See Section 3701-29-21 for requirements and specifications for SFOSTS.

**816.99 PENALTY.**

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3709.20, 3709.21 or 3709.22, and subject to penalties provided in ORC 3707.99 and 3709.99.

*(Resolution 165-07, July 12, 2007)*