

**RESOLUTION A-2022**

**A RESOLUTION REVISING THE BOARD OF HEALTH  
OPERATION AND MAINTENANCE PROGRAM STANDARDS:  
SPECIFYING TERMS AND CONDITIONS OF OPERATION PERMITS FOR THE  
MAINTENANCE, MONITORING, AND OPERATION OF SEWAGE TREATMENT SYSTEMS  
(STS) AND GRAYWATER RECYCLING SYSTEM (GWRS)**

The Board of Health of the Hamilton County General Health District met in regular session on March 14, 2022 with the following members present:

Mark A. Rippe, President	<u>Present</u>
Elizabeth Kelly, M.D., Vice President	<u>Present</u>
James Brett	<u>Present</u>
Dan Meloy	<u>Present</u>
Tracey A. Puthoff, Esq.	<u>Present</u>

Mr. Brett

moved for adoption of the following resolution:

**Resolution A-2022 revising the Board of Health Operation and Maintenance Program standards:  
Specifying terms and conditions of operation permits for the maintenance, monitoring, and  
operation of sewage treatment systems (STS) and graywater recycling system (GWRS)**

**WHEREAS**, the Board of Health of the Hamilton County General Health District has the authority to adopt policies and standards pursuant to the Ohio Administrative Code section 3701-29: Sewage Treatment System Rules; and

**WHEREAS**, the Board of Health, has found it necessary to update certain policies and standards in accordance with Ohio Administrative Code section 3701-29: Sewage Treatment System Rules, in order to protect the public health and to prevent or restrict the spread of diseases and nuisances; and

**WHEREAS**, the Ohio Department of Health has previously determined that the Hamilton County General Health District policy items are not more stringent than those established by the Ohio Department of Health under the Ohio Revised Code section 3718.02(B)(2) and do not require additional approval from the Ohio Department of Health; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Health of the Hamilton County General Health District revises the attached policies and standards (Attachment A) in accordance with Ohio Administrative Code 3701-29.

**BE IT FURTHER RESOLVED**, that Hamilton County General Health District's attached policies and standards are in effect and enforceable as specified in the Ohio Administrative Code section 3701-29 and the Ohio Revised Code sections 3718.09, 3718.10, and 3718.99, effective June 1, 2022; and

**BE IT FURTHER RESOLVED**, that any previous regulation, rules or policies adopted by the Board of Health of the Hamilton County General Health District that in any way conflicts with this resolution in part or in whole is rescinded and repealed in part or in whole to the extent of any conflict; and

**BE IT FURTHER RESOLVED**, that the Board of Health of the Hamilton County General Health District hereby finds by a vote of at least three-fourths of its members that this resolution be read only once and the requirement that it be read on three different days be dispensed with as provided by law; and

**BE IT FURTHER RESOLVED**, that this Board of Health of the Hamilton County General Health District find and determine that all formal actions relative to the passage of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the applicable legal requirement, including Sections 121.22 of the Ohio Revised Code.

Mr. Meloy seconded the resolution, upon roll call, the vote was as follows:

Mark A. Rippe, President	<u>Yes</u>
Elizabeth Kelly, M.D., Vice President	<u>Yes</u>
James Brett	<u>Yes</u>
Dan Meloy	<u>Yes</u>
Tracey A. Puthoff, Esq.	<u>Yes</u>

Board of Health of the Hamilton County General Health District

 3/14/2022  
Mark A. Rippe, President Date

Attest:  3/14/2022  
Greg Kesterman Date  
Health Commissioner

This resolution was approved as to form by the office of the Hamilton County Prosecuting Attorney, Joseph T. Deters, Prosecutor

By:  3/14/2022  
Nee Fong Chin Date  
Chief Assistant Prosecuting Attorney



# HAMILTON COUNTY PUBLIC HEALTH

## Attachment A

### OPERATION AND MAINTENANCE (O&M) PROGRAM STANDARDS

Terms and Conditions for Sewage Treatment Systems (STS) and Gray Water Recycling Systems (GWRS) Operation Permits for Maintenance, Monitoring and Operation.

**Adopted 02/09/2015**  
**Amended 05/11/2015, 3/14/2022**

#### *Board of Health*

Mark A. Rippe, President  
Elizabeth Kelly, M.D., Vice President  
James Brett  
Dan Meloy  
Tracey A. Puthoff, Esq.

Greg Kesterman, Health Commissioner

#### **For more information, please contact:**

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The Hamilton County Board of Health, as authorized and required by the Ohio Revised Code Section 3718.02(A)(7) and the Ohio Administrative Code 3701-29-09(I)(2) specifies the following operation permit terms and conditions:

A. Hamilton County Board of Health requires that all sewage treatment systems (STS) and gray water recycling systems (GWRS) be maintained, operated and monitored as follows:

1. Maintenance of STS and GWRS shall be in accordance with the following:

- a. Maintenance shall be conducted to prevent failure, nuisance conditions, safety hazards and exceedance of effluent quality standards. The frequency of maintenance shall not be less than the system specific guidelines, manufacturer's requirements and product approval recommended timelines.
- b. Maintenance shall be completed in accordance with the manufacturer product approval, system specific guidelines and in compliance with the requirements of this Ohio Administrative Code 3701-29;
- c. When problems with a STS or GWRS are discovered or maintenance is needed, Service and Maintenance shall take place immediately through a registered service provider or septage hauler as applicable. Where the corrections or maintenance needed require inspection, permit or other authorization by the health district, the registered contractor and/or owner shall take appropriate actions to obtain needed inspections, permits or authorizations in compliance with this Ohio Administrative Code 3701-29.

2. Operation of STS and GWRS shall be in accordance with the following:

- a. STS with mechanical components, permitted to be installed before December 10, 2004 shall make timely repairs or corrections, in accordance with applicable sections of the Ohio Administrative Code 3701-29 when:
  - i. Components/devices are missing.
  - ii. The system is improperly maintained.
  - iii. Components/devices are inoperable.
  - iv. Components/devices provide inadequate aeration/treatment.
  - v. A component/device is not draining properly.

- vi. Broken lid(s) or riser(s) are present, i.e., piece missing or broken to the extent that it allows entrance of surface water, or lid cannot be lifted without collapse; decayed metal grating.
- vii. The STS has a flooded filter, filter bypassing or is close to bypassing.
- viii. There is evidence of septic sewage, i.e., discolored, odorous, turbid or similar appearance.
- ix. There is evidence of an electric service problem.
- x. The STS is out of compliance with any applicable provision of Ohio Administrative Code 3701-29.
- xi. Component(s)/device(s) are not functioning in accordance with design standards.
- xii. The STS is creating a public health nuisance.
- xiii. An access riser, with secure lid, has not been brought permanently to grade over each component/device requiring maintenance.
- xiv. An effluent sampling well is not present when an effluent sample is needed or to determine the operating status of the system.
- xv. An incorrect or unapproved component(s)/device(s) have been installed which have not been reviewed and/or approved.
- xvi. Incorrect settings are present for proper sewage treatment.
- xvii. The system has been installed/ altered/replaced/updated/ upgraded/repared without approval and/or inspection.
- xviii. Gray water is not connected to the STS when an approved GWRS is not present.
- xix. There is a safety hazard present.
- xx. For systems subject to the requirements of OAC 3701-29-09(I)(2)(b), effluent samples have not been submitted or are out of compliance with those requirements.
- xxi. Other problems are present as determined by the Health District.

- xxii. An approved Property Improvement/Modification Inspection was not obtained when one was needed.
  
- b. STS without mechanical components, permitted to be installed before December 10, 2004, shall make timely repairs or corrections in accordance with applicable sections of the Ohio Administrative Code 3701-29 when:
  - i. The STS is creating a public health nuisance.
  - ii. The system is improperly maintained.
  - iii. An effluent sampling well is not present when an effluent sample is needed or to determine the operating status of the system.
  - iv. The STS is out of compliance with any applicable provision of the Ohio Administrative Code 3701-29.
  - v. The system has been installed/alterd/replaced/updated/upgraded/repared without approval and/or inspection.
  - vi. Gray water is not connected to the STS when an approved GWRS is not present.
  - vii. There is a safety hazard present.
  - viii. A component/device is not draining properly.
  - ix. Incorrect settings are present for proper sewage treatment.
  - x. The STS failed a dye test.
  - xi. Broken lid(s) or riser(s) are present, i.e., piece missing or broken to the extent that it allows entrance of surface water, or lid cannot be lifted without collapse; decayed metal grating.
  - xii. Component(s)/device(s) are not functioning in accordance with design standards.
  - xiii. An incorrect or unapproved component(s)/device(s) have been installed which have not been reviewed and/or approved.
  - xiv. For systems installed after 1993, an access riser, with secure lid, has not been brought permanently to grade over each component/device requiring maintenance.

- xv. For systems subject to the requirements of OAC 3701-29-09(I)(2)(b), effluent samples have not been submitted or are out of compliance with those requirements.
  - xvi. Other problems are present as determined by the Health District.
  - xvii. An approved Property Improvement/Modification Inspection was not obtained when one was needed.
- c. All STS, permitted to be installed on or after December 10, 2004 shall make timely repairs or corrections in accordance with applicable sections of the Ohio Administrative Code 3701-29 when:
- i. The system contains any broken or missing components/devices, or components/devices have been covered which require routine inspection or maintenance.
  - ii. The system is improperly maintained.
  - iii. A registered service provider contract has not been obtained.
  - iv. The system is not operating as designed.
  - v. The STS is out of compliance with any applicable provision of the Ohio Administrative Code 3701-29.
  - vi. The system has been installed/alterred/replaced/updated/upgraded/repared without approval or incorrect or unapproved component(s)/device(s) have been installed which have not been reviewed and approved as equivalent to the original equipment manufacturer (OEM) component/device.
  - vii. For systems subject to the requirements of OAC 3701-29-09(I)(2)(b), effluent samples have not been submitted or are out of compliance with those requirements.
  - viii. The system is consistently operated above its design flow rate.
  - ix. Incorrect settings are present for proper sewage treatment.
  - x. Gray water is not connected to the STS when an approved GWRS is not present.
  - xi. The STS is causing a safety hazard.

- xii. The STS is creating a public health nuisance.
  - xiii. Component/devices is/are not draining properly.
  - xiv. The STS fails a dye test.
  - xv. Any other condition which may adversely affect the treatment, absorption, or longevity of the STS.
  - xvi. Other problems are present as determined by the Health District.
  - xvii. An approved Property Improvement/Modification Inspection was not obtained when one was needed.
- d. GWRS shall not be operated and shall make timely repairs or corrections in accordance with applicable sections of the Ohio Administrative Code 3701-29 when:
- i. The GWRS fails a dye test.
  - ii. The GWRS is creating a public health nuisance.
  - iii. The GWRS has been installed/altered/replaced/updated/upgraded/repared without approval and/or inspection.
  - iv. The GWRS is improperly maintained.
  - v. The GWRS is out of compliance with any applicable provision of the Ohio Administrative Code 3701-29.
  - vi. The GWRS is causing a safety hazard.
  - vii. The GWRS is consistently operated above its design flow rate.
  - viii. The GWRS is not operating as designed.
  - ix. The GWRS contains any broken or missing components/devices, or components/devices have been covered which require routine inspection or maintenance.
  - x. Other problems are present as determined by the Health District.
  - xi. An approved Property Improvement/Modification Inspection was not obtained when one was needed.

3. Monitoring of STS and GWRS shall be in accordance with the following:
- a. STS or GWRS that have been approved under an Incremental Repair/Replacement Plan, shall be monitored (inspected) by the health district monthly until it is verified for 3 consecutive months that the system is in compliance with the operation and maintenance requirements and/or corrective actions needed. Once documented, the system shall be inspected once per calendar year thereafter to documents compliance with the operation, maintenance requirements and/or corrective actions needed.
    - i. Systems that are found to be out of compliance with the operation or maintenance requirements and/or corrective actions needed shall be reinspected by the health district every 30 days until compliance is achieved. Upon completing a second reinspection that is disapproved, failure to allow inspection, failure to obtain an operation permit, or at any other time determined by the Health Commissioner, the case may be referred to prosecution.
    - ii. Upon payment of all outstanding inspection fees and if compliant with the operation and maintenance requirements and/or corrective actions needed, an operating permit will be issued which will expire one year from the most recent initial inspection date. For scheduling and efficiency purposes, STS being inspected for an operation permit may be inspected up to 30 days in advance of the expiration of the operation permit when a fee is being charged for the initial inspection. Payment of all inspection fees shall be made at the time of notification or within 30 days following the date that the bill is sent to the owner. Unpaid fees will be subject to a late fee after 30 days, in accordance with ORC 3709.09, and may be collected through an action of law filed against the owner in accordance with ORC 3709.091.
  - b. STS and GWRS that are to be inspected by the Health District for an operation permit:
    - i. STS with mechanical components and GWRS shall be monitored (inspected) once per calendar year by the health district to document compliance with the operation and maintenance requirements and/or corrective actions needed.
      - a. Systems that are found to be out of compliance with the operation or maintenance requirements and/or corrective actions needed shall be reinspected by the health district every 30 days until compliance is achieved. Upon

completing a second reinspection that is disapproved, failure to allow inspection, failure to obtain an operation permit, or at any other time determined by the Health Commissioner, the case may be referred to prosecution.

- b. Upon payment of all outstanding inspection fees and if compliant with the operation and maintenance requirements and/or corrective actions needed, an operating permit will be issued which will expire one year from the most recent initial inspection date. For scheduling and efficiency purposes, STS being inspected for an operation permit may be inspected up to 30 days in advance of the expiration of the operation permit when a fee is being charged for the initial inspection. Payment of all inspection fees shall be made at the time of notification or within 30 days following the date that the bill is sent to the owner. Unpaid fees will be subject to a late fee after 30 days, in accordance with ORC 3709.09, and may be collected through an action of law filed against the owner in accordance with ORC 3709.091.
- ii. STS without mechanical components shall be monitored (inspected) once per 58 months by the health district to document compliance with the operation and maintenance requirements and/or corrective actions needed.
    - a. Systems that are found to be out of compliance with the operation or maintenance requirements and/or corrective actions needed shall be reinspected by the health district every 30 days until compliance is achieved. Upon completing a second reinspection that is disapproved, failure to allow inspection, failure to obtain an operation permit, or at any other time determined by the Health Commissioner, the case may be referred to prosecution.
    - b. Upon payment of all outstanding inspection fees and if compliant with the operation and maintenance requirements and/or corrective actions needed, an operating permit will be issued which will expire 58 months from the most recent initial inspection date. For scheduling and efficiency purposes, STS being inspected for an operation permit may be inspected up to 30 days in advance of the expiration of the operation permit when a fee is being charged for the initial inspection. Payment of all inspection fees shall be made at the time of notification or within 30 days following

the date that the bill is sent to the owner. Unpaid fees will be subject to a late fee after 30 days, in accordance with ORC 3709.09, and may be collected through an action of law filed against the owner in accordance with ORC 3709.091.

- c. For STS and GWRS that documentation of maintenance in lieu an inspection by the Health District is being submitted for an operation permit:
  - i. STS with mechanical components or GWRS shall be inspected by the service provider at least once per calendar year, or more often if required by the system specific guidelines, manufacturer's requirements or product approval. The inspections shall be completed to document compliance with the operation and maintenance requirements.
    - a. Systems that are out of compliance with the operation or maintenance requirements at the time of inspection by the service provider shall be corrected immediately where possible, but not later than 30 days. Upon receiving documentation of compliance with the operation and maintenance requirements, and payment of all outstanding fees, an operating permit will be issued by the Health District to the owner which will expire 12 months from the previous permit expiration date. If documentation of compliance with the operation and maintenance standards are not submitted, and therefore an inspection is conducted by the health district, or if a compliance inspection reveals the STS to be out of compliance with the operation and maintenance standards, the health district will charge a fee for the inspection, subsequent reinspections, and effluent sampling, as applicable, to document compliance with the operation and maintenance standards. Upon completing a second reinspection that is disapproved, failure to allow inspection, failure to obtain an operation permit, or at any other time determined by the Health Commissioner, the case may be referred to prosecution.
    - b. Payment of all inspection or permit fees shall be made at the time of notification or within 30 days following the date that the bill is sent to the owner. Unpaid fees will be subject to a late fee after 30 days, in accordance with ORC 3709.09, and may be collected through an action of law filed against the owner in accordance with ORC 3709.091.

- ii. STS without mechanical components shall be inspected by the service provider every 58 months, or more often if required by the system specific guidelines, manufacturer's requirements or product approval. The inspections shall be completed to document compliance with the operation and maintenance requirements. Systems that are out of compliance with the operation or maintenance requirements at the time of inspection by the service provider shall be corrected immediately where possible, but not later than 30 days.
  - a. Upon receiving documentation of compliance with the operation and maintenance requirements, and payment of all outstanding fees, an operating permit will be issued by the health district to the owner which will expire 58 months from the previous permit expiration date. If documentation of compliance with the operation and maintenance standards are not submitted, and therefore an inspection is conducted by the health district, or if a compliance inspection reveals the STS to be out of compliance with the operation and maintenance standards, the health district will charge a fee for the inspection, subsequent reinspections, and effluent sampling, as applicable, to document compliance with the operation and maintenance standards. Upon completing a second reinspection that is disapproved, failure to allow inspection, failure to obtain an operation permit, or at any other time determined by the Health Commissioner, the case may be referred to prosecution.
  - b. Payment of all inspection or permit fees shall be made at the time of notification or within 30 days following the date that the bill is sent to the owner. Unpaid fees will be subject to a late fee after 30 days, in accordance with ORC 3709.09, and may be collected through an action of law filed against the owner in accordance with ORC 3709.091.
- d. Inspections for an Operation Permit shall be marked as follows:
  - i. Approved: If all of the operation, maintenance and monitoring provisions have been met.
  - ii. Disapproved: If any of the operation, maintenance or monitoring provisions have not been met.

- iii. Inconclusive: If the property is vacant and no problems have been observed with the operation, maintenance or monitoring requirements.
  - iv. Inspections may be marked as a “message inspection” which will not carry a fee and will be used to notify the owner of corrective actions need such as providing access to a system that is within a gated and locked yard, dogs present, dye test needed, etc.
- e. An inspection by the Health District, as outlined below, shall occur and be approved before any Property Improvement(s)/Modification(s) begins on a property not served by sanitary sewer or that are served by an STS or GWRS. Property Improvement/Modifications include:
- i. A change in use or occupancy of the structure served by a SFOSTS or GWRS;
  - ii. Remodeling the dwelling or structure;
  - iii. Construction of a dwelling, structure, room addition, accessory building, detached garage, deck, swimming pool, surface water impoundment, earthworks project (including cut/fill), well, detached solar panels, geothermal heating/cooling system, or similar project;
  - iv. Addition of a hardscape;
  - v. Substantial changes made to the dwelling or structure, including, but not limited to:
    - 1. Relocation of the dwelling/structure being served by the STS and/or GWRS;
    - 2. Switching the dwelling/structure being service by the STS and/or GWRS;
    - 3. Rebuilding of the dwelling/structure being service by the STS and/or GWRS; which includes but is not limited to:
      - a. A dwelling/structure which has been or will be demolished, or partly demolished, so that the resulting “rebuilt” dwelling/structure has greater than fifty percent change to the walls, by adding and/or removing interior walls, including but not limited to, full walls, half walls, knee walls, doorways, archways, thresholds, closets, etc.

within a five-year timeframe. The general intent of the owner, as determined by the health district, is to build, replace or remodel a dwelling/structure.

- f. The inspection for a Property Improvement/Modification shall not be approved unless it is verified that:
  - i. The STS or GWRS is in compliance with all operation, maintenance and effluent quality standards;
  - ii. All STS or GWRS components needing inspection and maintenance are permanently brought to grade level with risers and lids, including but not limited to sewage tank(s), aeration unit trash compartments, aeration unit clarifier compartments, aeration compartments, drop box(es), sample well(s), disinfection unit(s), distribution box(es);
  - iii. The proposed construction will not adversely impact the system's future operation, maintenance and/or effluent quality;
  - iv. The system's primary or replacement area will not be compromised;
  - v. The system and/or proposal is otherwise in compliance with all applicable requirements of the Ohio Administrative Code 3701-29, including OAC 3701-29-06(E) & (I).
- g. Application for Property Improvement/Modifications shall occur and be authorized by Hamilton County Public Health prior to any person beginning a project requiring approval and shall include the following:
  - i. Submitting a completed Property Improvement/Modification Application which will be developed by the Health Commissioner or his/her authorized representative;
  - ii. Any relevant information determined by the Health Commissioner or his/her authorized representative to be needed in order to show compliance with the Ohio Administrative Code 3701-29;
  - iii. The Property Improvement/Modification Inspection Fee.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-09(I)(2)(b) specifies the following requirements for a service contract terms and conditions:

B. Hamilton County Board of Health requires that STS meet the following effluent quality standards:

1. For discharging STS covered under a National Pollutant Discharge Elimination System (NPDES) permit, the owner shall submit current lab results showing the effluent from the system meet standards specified in the permit issued by the Ohio EPA on the schedule provided in the permit and before HCPH inspection.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-09(I)(2)(c) specifies the following operation permit terms and conditions:

- C. Hamilton County Board of Health shall require a service contract, with terms and conditions determined by the Health Commissioner, that includes service, maintenance and monitoring for the entire STS for any system with mechanical components permitted for installation on or after December 10, 2004.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-09(I)(4) specifies the following operation permit expiration frequency:

- D. Hamilton County Board of Health specifies that operation permits for new, replacement or alterations of STS or GWRS shall expire no later than 11 months (so that system can be inspected for compliance with the requirements of OAC 3701-29-09(H)) after installation/alteration approval. Following installation/alteration approval, the operation permit may be set to expire sooner than 11 months by the health district to keep STS inspections aligned for efficiency purposes.

Other than as specified above, Hamilton County Board of Health specifies that operation permits shall expire as follows:

1. STS with mechanical components shall expire yearly.
2. STS without mechanical components shall expire every 58 months.
3. GWRS shall expire yearly if being inspected by the health district.
4. STS or GWRS that have been approved under an Incremental Repair/Replacement Plan, shall have an operation permit that expires monthly, until it is verified by the Health District that the system is in compliance with the operation and maintenance requirements for three consecutive months. At that time, the operation permit will expire annually thereafter.
5. Operation permits may be expired by the health district sooner than specified above to keep STS inspections aligned for efficiency purposes.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-19(D)(2), specifies the following operation permit service report requirements in lieu of a Health District inspection:

- E. The Hamilton County Board of Health authorizes the Health Commissioner or his/her authorized representative to develop the minimum information that that must be included on service reports that are to be submitted by a service provider in lieu of a health district inspection.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-02(C), specifies the following operation permit terms and conditions:

- F. Hamilton County Board of Health specifies that the following components/devices must be brought and remain permanently to grade with risers and lids and/or that must be installed and/or be exposed for the purposes of inspection, monitoring, maintenance, service, repair and operation permit compliance:

- 1. On mechanical systems, all components/devices needing maintenance including but not limited to:
  - a. Tanks, compartments, distribution/drop boxes, disinfection devices, discharge line ends
- 2. On non-mechanical systems installed after 1993, all components/devices needing maintenance including but not limited to:
  - a. Tanks, compartments, distribution/drop boxes, disinfection devices, discharge line ends
- 3. On discharging systems or systems suspected of discharging, in addition to the requirements for mechanical and non-mechanical systems, all components / devices needing inspection for compliance with discharge standards including but not limited to:
  - a. Disinfection devices and sample wells or discharge line ends.

- G. As part of an MS4 community, Hamilton County Board of Health shall require the entire discharging or nuisance causing STS and/or GWRS be repaired, updated, upgraded, altered or replaced, as applicable (determined by Hamilton County Public Health), to comply with the Ohio Administrative Code 3701-29 under the following circumstances and as required to comply with the operation permit terms and conditions, and inspection requirements for Property Improvement/Modifications.

- 1. When adding flow or increasing waste strength to any system in accordance with section 3701-29-11 of the Ohio Administrative Code (OAC). If the current

system is not covered under a National Pollutant Discharge Elimination System Permit (NPDES) and uses a technology that has a higher rated capacity than is currently utilized (as prescribed by the OAC) and the proposal is to increase flow to the system (as prescribed by OAC), but not above the rated capacity, the existing system is required to be updated, upgraded, altered or replaced in compliance with this OAC 3701-29.

2. When substantial changes occur to the dwelling/structure including, but not limited to:
    - a. Relocation of the dwelling/structure being served by the STS and/or GWRS;
    - b. Switching the dwelling/structure being service by the STS and/or GWRS;
    - c. Rebuilding of the dwelling/structure being service by the STS and/or GWRS; which includes but is not limited to:
      - i. A dwelling/structure which has been or will be demolished, or partly demolished, so that the resulting “rebuilt” dwelling/structure has greater than fifty percent change to the walls, by adding and/or removing interior walls, including but not limited to, full walls, half walls, knee walls, doorways, archways, thresholds, closets, etc. within a five-year timeframe. The general intent of the owner, as determined by the health district, is to build, replace or remodel a dwelling/structure.
- H. Adding flow, changing waste strength and/or making substantial changes (as outlined in section G) to any structure served by an HSTS, SFOSTS, or GWRS, minimally results in alteration of such system in accordance OAC 3701-29-01(B) and requires an application and permit approval from Hamilton County Public Health.
- I. STS or GWRS containing drywell type components are prohibited from continued use under ORC 3718.023(B) and OAC 3701-29-06(E)(5). Properties containing such components are subject to all operation, monitoring and maintenance provisions contained herein, including Property Improvement/Modifications Inspections and approvals. No operation, alteration or installation permit will be issued for drywell type components by HCPH. Inspections of systems containing drywell type components will be performed by HCPH on the schedule contained herein and as authorized under OAC 3701-29-23(B)(2). Fees for any inspections performed by Hamilton County Public Health shall be as adopted by the Board of Health under Regulation 8-2014 or future adopted updates authorized under OAC 3701-29-05. No operation permit will be issued or will be valid for a system containing a drywell like component. Drywell like

components within any STS or GWRS must be eliminated by December 31, 2045 under applications and permits issued by Hamilton County Public Health.

**Enforcement action shall be conducted in accordance with the Ohio Administrative Code section 3701-29-23 and the Ohio Revised Code sections 3718.09, 3718.10, and 3718.99, effective January 1, 2015.**