

**RESOLUTION F-2015**

**A RESOLUTION ESTABLISHING BOARD OF HEALTH POLICIES AND  
STANDARDS REFERENCED IN ATTACHMENT B PURSUANT TO OHIO  
ADMINISTRATIVE CODE SECTION 3701-29:  
SEWAGE TREATMENT SYSTEM RULES**

The Board of Health of the Hamilton County General Health District met in regular session on May 11, 2015 with the following members present:

Tracey A. Puthoff, President	<u>present</u>
Mark A. Rippe, Vice President	<u>present</u>
Thomas Chatham	<u>-</u>
Kenneth G. Amend, M.D.	<u>present</u>
Jim Brett	<u>present</u>

Dr. Amend moved for adoption of the following resolution:

**Resolution F-2015 establishing Board of Health policies and standards referenced in  
Attachment B pursuant to Ohio Administrative Code Section 3701-29: Sewage Treatment  
System Rules.**

**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 adopt 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 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 adopts the attached policies and standards (Attachment B) in accordance with Ohio Administrative Code 3701-29; and

**BE IT FURTHER RESOLVED**, that Hamilton County General Health District's Attachment B 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, 2015; and

**BE IT FURTHER RESOLVED**, that any previous regulation, including Board of Health Regulation 529, 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of the Hamilton County General Health District that in any way conflicts with this resolution in part or in whole is rescinded and repealed in part or in whole to the extent of any conflict; and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. Brett seconded the resolution, upon roll call, the vote was as follows:

Tracey A. Puthoff, President

aye

Mark A. Rippe, Vice President

aye

Thomas Chatham

-

Kenneth G. Amend, M.D.

aye

Jim Brett

aye

Board of Health of the Hamilton County General Health District

Tracey A. Puthoff  
Tracey A. Puthoff, President

Date

5/6/15

Attest:

Timothy I. Ingram  
Timothy I. Ingram  
Health Commissioner

Date

5-11-15

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

By:

Nee Fong Chin  
Nee Fong Chin  
Chief Assistant Prosecuting Attorney

Date

May 11, 2015

**Hamilton County Public Health  
Attachment B to Resolution F-2015:  
Board of Health Policies and Standards Pursuant to  
Ohio Administrative Code Section 3701-29**

**3701-29-01(BBBB)** "Repair" means act of fixing or replacing substandard or damaged devices to restore a sewage treatment system or component to proper working condition, and does not require a permit.

As specified in OAC 3701-29-01(Z) & (NNNN), approved devices shall be used in repairs. As authorized in OAC 3701-29-03(L1), 3701-29-19(D) 3701-29-23(A), the Health Commissioner shall develop a policy that, at minimum, requires all of the following type of repairs be reviewed by the health district before being backfilled, all fees associated with the cost of conducting the review will apply. Replacement of any device that requires excavation, may include, but not limited to, replacement of:

- Piping over 20 feet in length that is outside the area of a soil absorption or treatment component.
- Any length of piping that is within a soil absorption or treatment component (these may be subject to an alteration permit depending on scope of work);
- Distribution box(es);
- Lift station(s)
- Any piping or component that is being relocated will require a site review application and permit, as determined by the Health Commissioner.

**3701-29-07(D)** The soil evaluator shall visit the site where the STS or GWRS is to be located during the soil evaluation to observe the site conditions and observe and document the soil profile at a sufficient number of locations as determined by the board of health and the soil scientist to accurately reflect the variation in soil and site conditions across the proposed sewage treatment system soil absorption areas, by the use of soil borings and/or excavations of sufficient depth to determine the presence of all limiting conditions but no greater than sixty inches.

The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-07(D), shall authorize the Health Commissioner, or his or her representative, to work with the soil evaluator to determine the number of soil borings needed within each of the proposed primary and the proposed replacement locations and ten to twenty feet downslope, when needed.

**3701-29-11(B)(4)** An increase in the daily design flow estimate for a STS shall be required by the board of health when there is an indication that the flows established in accordance with paragraph (B)(1) or (B)(2) of this rule may be exceeded. Any required increase in daily design flow shall be documented on the installation permit and operation permit.

**The Hamilton County Board of Health, as authorized by Ohio Administrative Code 3701-29-11(B)(4), may require an increase in flow rates based on site and building conditions in the following situations:**

- Where large or multiple entertaining areas are part of the building plans served by an HSTS;
- When water usage record averages for the existing dwelling/structure indicate exceedance of 60% of the daily design flow for an HSTS;
- In other situations that may be determined by the Health Commissioner or his/her authorized representative.