

**REGULATIONS OF THE BOARD OF
HEALTH OF THE CLERMONT
COUNTY GENERAL HEALTH
DISTRICT**

Regulation 415

**SEWAGE TREATMENT SYSTEM
RULES**

Effective Date: March 1, 2026

**Clermont County General Health District
DBA Clermont County Public Health**

Sewage Treatment System Rules Regulation 415

TABLE OF CONTENTS

Rule Number	Rule Title	Page
415-01	Definitions	2
415-02	Purpose and Scope	2
415-03	Authority, Applicability, and Related Provisions	2
415-04	Responsibility for Compliance, Demonstration, Competency, and Registration Requirements	3
415-04.1	Installers	3
415-04.2	Septage Haulers	4
415-04.3	Service Providers	4
415-04.4	Sewage Treatment System Designers, Design Plans, and As-Built Records	5
415-05	Sewage Treatment Requirements	7
415-06	Gray Water Recycling System (GWRS) Permits	8
415-07	Septic Tanks, Pumps, and Controls	8
415-08	Soil Absorption Provisions	9
415-08.1	Leaching Trench Requirements	9
415-08.2	Mound with Pressure Distribution Requirements	10
415-9	Alteration Permits	10
415-10	Inspections	10
415-11	Operation and Maintenance, Operation Permit Program	11
415-12	Temporary or Intermittent Living Structures	13
415-13	Hearing	14
415-14	Variance	14
415-15	Onsite System Management Districts	14
415-16	Drywells	16

415-01 DEFINITIONS

The definitions used in these rules are the same as those in Ohio Administrative Code 3701-29-01 and Ohio Revised Code 3718.01. Additional definitions are below.

- A) Recreation Vehicle (RV): This is any vehicle that is intended to be used for temporary living during recreational periods and includes travel trailers, slide-in truck campers, self-contained driving campers, and temporary tiny homes. This also includes homemade RVs.
- B) Remediation: The incremental replacement of individual components within a septic system to restore proper function or address deficiencies without requiring full system replacement. Remediations must meet the requirements for incremental replacements found in OAC 3701-29-09 (C).
- C) An Onsite System Management District is defined as a geographical area, usually a subdivision, containing more than 10 household sewage treatment systems where property owners have formally agreed to have a single entity manage their treatment systems.

415-02 PURPOSE AND SCOPE

- A) The purpose of these Sewage Treatment System (STS) rules is to establish operational procedures for The Board of Health of the Clermont County General Health District regarding local Household Sewage Treatment System (HSTS), Small Flow Onsite Sewage Treatment System (SFOSTS), and Graywater Recycling Systems (GWRS), including specific application standards for siting, design, installation, alteration, operation, monitoring, maintenance, and abandonment of an STS to protect public health and the environment.
- B) The scope of these rules includes the performance of STS and GWRS components, persons, agencies, and organizations as these relate to the effective management of STS, HSTS, SFOSTS, and GWRS in Clermont County, including the siting, design, installation, alteration, operation, monitoring, maintenance, and abandonment of an STS.

415-03 AUTHORITY, APPLICABILITY, COMPLIANCE, AND RELATED PROVISIONS

- A) Unless otherwise specified, these rules apply to both HSTS and SFOSTS, referred to jointly as STS. When the rules specifically address SFOSTS,

the provisions only apply to those SFOSTS that are under the jurisdiction of the Board of Health of the Clermont County General Health District per ORC 3718.021.

- B) These rules have been developed under ORC 3709.21, 3718.02, and OAC 3701-29-22 and shall apply to all STS or GWRS permitted to be installed or altered pursuant to these rules after the effective date of this section. In cases where the Board of Health has provided written approval for a household sewage treatment system application prior to March 1, 2026, the Board of Health shall permit the installation of the household sewage treatment system, provided the household sewage treatment system approval and the written approval are not more than 5 years old.
- C) No person shall violate these rules, orders issued pursuant to these sections by the Board of Health, or the conditions of a registration or permit issued in accordance with these rules. Upon determining noncompliance, the Board of Health shall notify the owner or other responsible party of the determination of noncompliance. The Board of Health notification shall specify any necessary corrective actions and the timeline for compliance as applicable. Failure to complete corrective actions may result in revocation of permit, revocation of registration, or prosecution.
- D) Any person who alleges to be an aggrieved party shall give written notification to the surety company, the Board of Health, and the installer, service provider, or septage hauler, as applicable, within one year of the date of completion of the work on the STS. The Board of Health may investigate as necessary to determine if a violation of these rules has occurred.

415-04 RESPONSIBILITY FOR COMPLIANCE, DEMONSTRATION OF COMPETENCY, AND REGISTRATION REQUIREMENTS

415-04.1 INSTALLERS

- A) A registered installer shall comply with any installation instructions in accordance with an installation permit issued by the Board of Health.
- B) As a condition of an installation permit, a registered installer shall warrant that the STS has been installed in accordance with all applicable rules and design specifications. A registered installer shall prepare and submit an as-built record for each completed installation in accordance

with Rule 415-04.4 of these rules. As-built information can be recorded on the design plan and submitted as the as-built.

- C) Any person with an open expired installation permit is not eligible to obtain another permit until the open permit is resolved. Exceptions to this rule will only be made on a case-by-case basis by the Health Commissioner or their designated representative.

415-04.2 SEPTAGE HAULERS

- A) Land application of septage is not permitted within Clermont County except for the properly treated waste from a composting toilet, which can only be applied to the property where it is generated.

415-04.3 SERVICE PROVIDERS

- A) A service provider shall demonstrate competency by providing proof of compliance with any training, qualification, or certification conditions required by the manufacturer or distributor of a component or system, and shall comply with operation and maintenance (O&M) requirements in accordance with an installation permit or operation permit issued by the Board of Health.
- B) A registered service provider offering a service contract for an STS that uses a pretreatment component that discharges to a soil absorption component shall also service and/or monitor the soil absorption component.
- C) A registered service provider shall comply with any reporting or records retention requirements established by these rules.
 - 1) Receive routine training from the manufacturer/distributor or other source approved by the Health Commissioner for all types of pretreatment devices that the registrant intends to operate and maintain. Proof of training may be requested and kept in the registrant's file.
 - 2) Registrant shall attend training from the Board of Health or other source approved by the Health Commissioner for non-proprietary mound system components. Proof of this training may be requested and kept in the registrant's file.

415-04.4 SEWAGE TREATMENT SYSTEM DESIGNERS, DESIGN PLANS, AND AS-BUILT RECORDS

- A) All STS designers shall submit three different designs for review prior to being placed on the Board of Health designer list.
- B) A designer shall comply with the requirements of these rules and all other applicable laws and rules when submitting design plans for an STS, including details on system components, construction, and O&M sufficient for regulatory review and determination of compliance.
- C) For all new and replacement STS, or major alteration of an STS, a design plan shall be required from a source outside of the Board of Health, unless an application is made for remediation to address a health nuisance. Changes to an approved plan must be signed off on by the designer, installer, and the Board of Health representative. Approval from the property owner may also be required.
- D) All designs submitted to the Board of Health for approval must meet or include the following:
 - 1) Floor plan for structure
 - a. Floor plans must show all floors.
 - b. Floor plans will be used to determine system size based on 120 gallons per day per bedroom for residential buildings.
 - 2) Additional System design requirements:
 - a. Tank bedding requirements from the manufacturer must meet or exceed the Board of Health of the Clermont County General Health District's Household Sewage Treatment Installation Manual.
 - b. Tank capacities must be specified in the plan, or a tank information sheet must be attached.
 - c. Float or transducer settings must be shown on the plan.
 - d. System design must address surface water conditions.
 - e. Design must provide detailed specifications of materials such as filter sand, gravel type, leaching chambers, etc.
 - f. Pumped systems must provide a dosing worksheet that specifies pumping and dosing specifications, such as flow rate and what range is acceptable. This information will be used to determine control panel or pump settings at system start-up.
 - g. Design shall be specific about components such as laterals, orifice shields, and observation ports.

- h. Designer will be responsible for detailed installation guidance.
 - i. Designer will be responsible for detailed operation and maintenance information.
 - j. Designer will identify control panel requirements and settings.
 - k. Information not included in the design will become subject to the Board of Health's Household Sewage Treatment Installation Manual, which includes best management practices.
 - l. All design plans are required to have a pre-construction conference with the Board of Health staff identified as part of the plan.
 - m. Design plan will note that an as-built is required by the the Board of Health.
 - n. Design plans must maximize the usable depth of soil and length of the property. Mechanical and proprietary components should only be used in designs to compensate for site limitations.
 - o. Systems that require a proprietary treatment device must have specific installation information provided for those devices.
 - p. Any system design that requires a time-dosed control panel, soil depth, or area reduction credit for a pretreatment component must provide language requiring a service provider for the life of the system on the plan.
 - q. Any proprietary system shall have a service provider trained and registered with Clermont County prior to design approval.
 - r. System layout must be identified and tied to the site plan by the surveyor. The site plan must have the surveyor's seal or stamp.
 - s. Location of system must be flagged or marked on-site, and the address for the property must be visible from the road.
- E) If a submitted design requires a major revision or more than two minor revisions, a redesign fee will be charged. A change to the system type or the designed daily flow is a major revision.
- F) An as-built record shall be completed by the registered installer for a completed STS installation or alteration as a condition of the installation or alteration permit and as a condition of registration in accordance with rule 415-04.1 of these rules. As-built records must be submitted to the

Board of Health within 15 days of the final inspection. An as-built record shall include:

- 1) A legible record on eight and a half inches by eleven inches or larger pages, either in hard copy or electronically, for inclusion in the system file; use of layout plan or design plan documents or as-built template forms may be acceptable; and
- 2) Any changes to the approved design plan including distances from installed STS components to any items having applicable horizontal isolation distances; a change in the location of an STS from that designated on the design plan shall not be made without prior approval by the Board of Health and shall not violate horizontal isolation distances required by OAC 3701-29; and
- 3) A designated vertical and horizontal reference point or benchmark with its location marked at the site; and
- 4) Plan view drawing with elevations for installed STS components per the design plan; and
- 5) Drawings with pipe and component elevations to confirm depths for hydraulic flow, freeze protection, and other related installation functions; and
- 6) Any additional information about components and materials which may be required by the Board of Health, including but not limited to manufacturer or supplier provision of component installation or O&M instructions, and verification of compliance with any start-up procedures or aggregate specifications; and
- 7) The as-built record shall include a statement by the registered installer indicating that the STS was installed in accordance with all applicable rules and specifications.

415-05 SEWAGE TREATMENT REQUIREMENTS

- A) Discharging systems are not permitted to be installed in Clermont County unless a NPDES permit is obtained following OAC 3745-38. Discharging systems installed must utilize pump lock-out technology.
- B) An incremental repair plan must meet the following:
 - 1) It eliminates a Public Health Nuisance; and

- 2) It takes the economic impact of a full replacement into consideration; and
 - 3) All incremental repair plan interim phases shall lead to a final system that is in compliance with OAC 3701-29 and these regulations; and
 - 4) All incremental repair plans require a Remediation application and permit.
- C) When a home is demolished, the STS shall be abandoned unless the property owner requests in writing that it be saved for possible future use. If a new home is proposed on the lot, the new home must have a new STS installed unless the existing system meets all the following conditions:
- 1) The Board of Health has a record of the existing sewage treatment system's original installation permit or as-built. Existing Aerobic Treatment Units (ATUs) in good physical and operational condition are exempt from this rule; and
 - 2) The Operation Permit record shows no history of failures on the last two completed assessments; and
 - 3) The number of bedrooms for the proposed home is equal to or less than the original home, or the existing system is sufficiently sized for the new home based on current installation standards.

415-06 GRAY WATER RECYCLING SYSTEM (GWRS) PERMITS

- A) The installation of any GWRS will require a permit to install. A property owner who wishes to install a GWRS will submit all the design information for review either as part of an STS application or as a stand-alone application prior to a permit to install being issued. A GWRS designer will submit the same information as required in section 415-04.4 (D).

415-07 SEPTIC TANKS, PUMPS, AND CONTROLS

- A) The septic tank shall be installed no deeper than two feet below grade unless the terms of the installation permit allow for greater septic tank depth and the tank is designed to withstand the additional load.

Concrete tanks shall be bedded, installed, and backfilled with sand or gravel, filling the space in the excavation up to the level of the pipe penetrations, to support the tank walls and support the inlet and outlet pipes. Fiberglass and plastic tanks shall be bedded, installed, and back-filled according to the manufacturers' specifications. Tanks installed for systems with electrical components shall be watertight tested to confirm there are no installation or pipe connection problems, that all pipe penetrations are watertight, and the structural integrity of the tank has not been compromised during installation.

415-08 SOIL ABSORPTION PROVISIONS

- A) Flow rate and distal pressure or operating head shall meet design specifications, and a baseline shall be recorded for future performance monitoring.
- B) System startup records and any soil absorption component operation and maintenance instructions shall be provided by the installer to the Board of Health as a condition of installation approval.
- C) No above-grade structures shall be demand-dosed.
- D) The Clermont County Board of Health hereby establishes the required minimum Vertical Separation Distance (VSD) of greater than zero inches and less than six inches, and the required minimum In Situ soil thickness within the vertical separation distance of greater than zero inches and less than six inches where the seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform CFU per one hundred milliliters. The infiltrative surface shall not be placed below the depth of the seasonal water table.
- E) All other soil conditions shall follow OAC 3701-29-15 (D) through (G).
- F) Work on soil absorption components, including mound type systems and perimeter/gradient drains shall only be completed when soil conditions are dry and appropriate for the type of work being completed to prevent compaction and soil smearing.

415-08.1 LEACHING TRENCH REQUIREMENTS

- A) Prior to excavation, the registered installer shall check all elevations in the design plan relative to the established benchmark, including the surface contour and proposed bottom elevation of each trench and the

flow line elevation of other STS components, to assure proper flow through the system.

415-08.2 MOUND WITH PRESSURE DISTRIBUTION REQUIREMENTS

- A) A mound-type STS designed to the Board of Health's Household Sewage Treatment Installation Manual specifications with 24 inches of sand, dual laterals, and a gradient drain will be accepted as a pretreatment device that discharges directly to soil adsorption. This device will meet the reduced VSD and In-situ soil requirements of 415-08 (D).
- B) All mound structures shall be designed with a gradient drain to lower the perched water table and follow the Board of Health's Household Sewage Treatment Installation Manual guidance.

415-09 ALTERATION PERMITS

- A) Alteration permits are required for all changes to a system layout, components, or flow rate. Major alterations require that the system be brought up to compliance with current state and local rules and standards.
- B) All requests for an alteration permit require a scope of work and basic design information to be submitted to the Board of Health for review prior to issuance of the alteration permit.
- C) An alteration permit is required when replacing more than 20 feet of system piping.
- D) An alteration permit is required for all tank replacements.

415-10 INSPECTIONS

- A) The Board of Health inspections require that accurate information be provided to inspectors for components used in systems (capacity of tanks in gallons per inch, theory of operation of control panels, system flow rates, etc.), in order that the Board of Health representative may complete the inspections and approve the system. This information shall be provided by manufacturers, vendors, or installers as necessary before final approval will be given for a system.
- B) Four inspections are included in the cost of a permit. Any additional inspections will result in a re-inspection fee.

- C) All systems installed shall have a final grade that allows for easy mowing and maintenance around the system. The disturbed area of the soil adsorption component shall be seeded and strawed to prevent erosion and protect the system. The system must be seeded and strawed at the time of final inspection.

415-11 OPERATION AND MAINTENANCE, OPERATION PERMIT PROGRAM

- A) Operation and Maintenance (O&M), in accordance with the manufacturer's instructions, shall be met when required as a condition of an operation permit or these rules. This may include a person securing a service contract or being certified for O&M service by a sewage treatment system manufacturer. All time-dosed systems must have a service contract with a registered service provider. A property owner may choose to submit a recent system assessment by a registered service provider in lieu of the required Board of Health assessment. The assessment must have been completed within 90 days of the scheduled operation permit renewal. This shall not preclude the Board of Health from conducting compliance inspections for general oversight purposes nor from requiring payment for a new operation permit. This does not waive the requirement for an operation permit or any associated operation permit fees.
- B) All HSTS installed in Clermont County are included in the Operation Permit program and once scheduled, shall be assessed at the following intervals:
 - 1) All discharging systems covered under an Ohio EPA NPDES permit will be assessed and sampled as required by the permit once every 12 months.
 - 2) All STS with electrical components will be assessed once every 19 months.
 - 3) All other STS without electrical components will be assessed once every 38 months.
- C) When an HSTS is assessed by either the Board of Health or a registered service provider and found to be operating properly, it will be issued a new operation permit. The operation permit will list the conditions for maintaining the STS and the required proof of maintenance information that must be submitted for an on-site assessment to be deferred. If all the required proof of maintenance is not submitted prior to the deadline

listed in the permit, a Board of Health assessment of the STS will be completed.

- D) Any system that is reported to be failing through the Public Health Nuisance Complaint Program (Regulation 410 of the Board of Health of the Clermont County General Health District) will immediately receive an interim Operation Permit assessment. If the system is in a failing condition and is considered a Public Health Nuisance, the operation permit will be suspended, and the property owner will be charged a re-assessment fee for any inspections required to ensure abatement of the sewage nuisance. If the nuisance complaint is found to be invalid, the property owner will not be charged for the assessment. Once the system is operational, the Operation Permit will be reinstated.
- E) When a system is assessed and found not to be operating properly, the following procedure will be followed:
 - 1) The property owner will be sent a report informing them of any deficiencies and requiring the property owner to make the necessary repairs. The property owner will be given up to 30 days to make the required corrections or begin the process for a remediation/replacement. A system causing a health nuisance that impacts neighboring properties or waterways may be given a shorter deadline based on the seriousness of the failure and the threat of disease transmission. If, prior to the deadline, the property owner submits repair receipts and a report from a contractor, registered for the appropriate work with the Board of Health, proving the deficiencies have been corrected, the reinspection fee will be waived. Failure to submit the receipts and report will result in an assessment and additional reassessment fee if the system is still not in compliance. The Board of Health reserves the right to conduct a no-charge compliance assessment of the work completed by the contractor, even if the property owner submits the required documentation. An STS still found failing after a compliance assessment will be charged the reassessment fee.
 - 2) Failure to comply within the time limit will result in the property owner being issued a Notice of Violation and given a new deadline to comply.
 - 3) Failure to comply with the orders in the Notice of Violation will result in the system being sampled in accordance with ORC 3718.011.

- a. If *E. coli* is detected in excess of 1030 CFUs per 100 milliliters, the property owner will be required to pay for the cost of sample testing, sample delivery to the lab, and any assessment or field trip fees, and the system will be referred to the Clermont County Board of Health for declaration of a Public Health Nuisance.
 - b. If *E. coli* is found at levels less than 1030 CFUs per 100 milliliters in two samples, the property owner will not be required to pay for any re-inspections or sampling charges.
 - c. If *E. coli* is found in levels less than 1030 CFUs per 100 milliliters in one sample, the Board of Health may choose to resample. If additional samples are below the 1030 CFU limit, there will be no charge to the property owner. If the additional samples are above the limit, the property owner will be required to pay for the cost of sample testing for all samples that exceed the 1030 CFU limit, sample delivery to the lab, and any assessment or field trip fees from all sampling inspections, and the system will be referred to the Clermont County Board of Health for declaration of a Public Health Nuisance.
- 4) Failure to comply after being declared a Public Health Nuisance will result in the matter being turned over to the Clermont County Prosecutor's office for prosecution.
- F) The Acceptable Operation and Maintenance (AO&M) program will be discontinued on the effective date of these rules. After that date, no new AO&M designations will be issued. Existing AO&M designations will continue until the current operation permit expires and will then be renewed at the standard interval for that system type.

415-12 TEMPORARY OR INTERMITTENT LIVING STRUCTURES

- A) When a recreation vehicle (RV), premade shed, or any other structure is intended to be used as a temporary or intermittent residence, and that structure is connected to a sewage treatment system, the connection must follow the established rules to prevent sewage spills or access to sewage by humans, animals, or insects.

415-13 HEARING

- A) The Board of Health shall grant a hearing to any person affected or aggrieved by these rules in accordance with the Bylaws of the Clermont County Board of Health.

415-14 VARIANCE

- A) The Board of Health may grant a variance from the requirements of these rules and OAC 3701-29-01 to 3701-29-23 as will not be contrary to the public interest, where a person shows that because of practical difficulties or other special conditions their strict application will cause unusual and unnecessary hardship. However, no variance shall be granted that will defeat the spirit and general intent of said rules or be otherwise contrary to the public interest.

415-15 ONSITE SYSTEM MANAGEMENT DISTRICT

- A) Any entity may apply to the Board of Health to obtain approval to manage the onsite sewage treatment systems within a defined area of Clermont County. The application to create an Onsite System Management District must be approved by the Board of Health. The Board of Health may establish unique requirements for a given District to ensure adequate oversight and reporting by the established Management District.
- B) Additional homes within the defined geographical area can be added to the Management District after initial creation of the Management District by submitting an addendum to the original application identifying the address to be added and the property owner's authorization to be included.
- C) The appropriate fee must be submitted with an application to the Board of Health to obtain approval to manage the on-site sewage treatment systems within a defined area of Clermont County.
- D) All onsite systems in Clermont County that are part of the Operation Permit Program are issued operation permits upon satisfactory initial installation and at established intervals thereafter. Because onsite systems in an approved Onsite System Management District are part of a routine preventive maintenance program, an operation permit covering all systems contained within the district is issued to the Management District and renewed annually per the terms approved in the initial application to create the district. A total of 10% of the systems

in the district will be inspected each year by the Board of Health, with no less than two systems per district inspected in any given year. The initial and renewed operation permits will be issued to the Management District regardless of ownership of the onsite system.

- E) The operation permit fee for household sewage treatment systems under this regulation shall be calculated as follows:
- 1) For Management Districts with greater than or equal to 20 systems, the fee will be the routine charge for an operation permit inspection times 10 percent of the total number of systems in the management district.
 - 2) For Management Districts with less than 20 systems, the fee will be the routine charge for an operation permit inspection times two (the minimum number of systems to be inspected each year).
 - 3) A Reinspection Fee will be charged for each return inspection required as a result of a malfunctioning system. The reinspection fee charged will be the same as established for all other household sewage treatment systems. The payment of the fee or reinspection fees shall be made within thirty (30) days following the date that the invoice is sent to the Management District. Unpaid fees may be collected through an action at law filed against the Management District.
- F) If a Board of Health inspection of a household sewage treatment system within an Onsite System Management District reveals an operational problem, an order shall be issued to the Management District to make the necessary corrections. It is the Management District's responsibility to correct the operational problem or to have the property owner correct the problem. Any alterations or repairs required to correct a malfunctioning system within the Management District are the responsibility of the owner of the system. Any alteration or repair permits required by the Board of Health would be the responsibility of the system owner.
- G) The Board of Health may revoke the Onsite System Management District status of any approved Management District when systems within the Management District are not managed per the terms of the approved application or any subsequent modification thereof. When a Management District Operation Permit is revoked, all systems previously within that district are issued individual operation permits per the established renewal schedule as outlined in 415-11 (B). These operation

permits will be issued directly to the owner of the onsite system, and all further fees and maintenance will be the responsibility of the actual owner of the onsite system.

H) All appeals must be in accordance with OAC 3701-29-23.

415-16 DRYWELLS

A) 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. No alteration, installation, or remediation/incremental repair permits will be issued for drywell-type components by the Board of Health. Inspections of systems containing drywell-type components will be performed by the Board of Health. Drywell components within any STS or GWRS must be eliminated by December 31, 2045, under applications and permits issued by the Board of Health. Systems found to be causing a health nuisance must be replaced immediately.